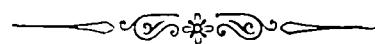


SERVICE MANUAL

BUNDI STATE



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BUNDI

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Bundi State Service Manual.

PART I.

CHAPTER I.

DEFINITIONS

1 Unless there be something repugnant in the subject or context, the terms defined in this chapter are used in the rules in the sense here explained -

- 1 ACTUAL TRAVELLING EXPENSES means the actual cost of transporting a State servant with his servants and personal luggage, including charges for ferry and other tolls and for carriage of camp equipment if necessary. It does not include charges for hotels, travellers' bungalows or refreshments or for the carriage of stores or conveyance or for presents to coachmen and the like, or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional servants
- 2 APPRENTICE means a person deputed for training in a trade or business with a view to employment in State service who draws pay at monthly rates from State during such training but is not employed in or against a substantive vacancy in the cadre of a department
- 3 AVERAGE PAY means the average monthly pay earned during the 12 complete months immediately preceding the month in which the event occurs which necessitates the calculation of average pay
- 4 CADRE means the sanctioned strength of a service or of an establishment
- 5 COMPETENT AUTHORITY, in relation to the exercise of any power, means the Darbar in Council or any authority to which the power is delegated by or under these rules
- 6 COMPENSATORY ALLOWANCE means an allowance granted to meet personal expenditure necessitated by the special circumstances in which the duty is performed. It includes a travelling allowance but does not include a sumptuary allowance nor the grant of a free passage by sea or air
- 7 DARBAR means the Government of Bundi State

8. DAY means a calendar day, beginning and ending at midnight, but an absence from headquarters which does not exceed twenty-four hours shall be reckoned for all purposes as one day, at whatever hours the absence begins or ends

9. DUTY

(a) Duty includes:-

(1) Service as a probationer or apprentice provided that such service is followed by confirmation

(2) Joining time

(b) In circumstances similar to those mentioned below a State servant may be treated as on duty:-

(1) During a course of instructions or training

(2) In the case of a student, stipendiary or otherwise, who is entitled to be appointed to the service of the State on passing through a course of training at a University, college or school, during the interval between the satisfactory completion of the course and his assumption of duties

10. FAMILY means a State servant's wife, legitimate children and step-children, residing with and wholly dependent upon him. It includes in addition his parents, sisters and minor brothers, if residing with and wholly dependent upon him. Not more than one wife is included in a family for the purpose of these rules. It does not include the husband of a female State servant

11. HEAD OF DEPARTMENT means any authority which the Darbar in Council may by order declare to be the head of a department for the purpose of these rules

12. HONORARIUM means a recurring or non-recurring payment granted to a State servant as remuneration for special work of an occasional character

13. INFERIOR SERVICE means any kind of service which may be specially classed as such by order of the Darbar in Council and any other kind of service on pay not exceeding Rs 12/-

The following have been classed as inferior service by the Darbar in Council -

Bhishties, Bullock or Cart Drivers, Chobdars, Peons, Chaukidars, Coachmen, Deodhdars, Rebbaris, Farashes, Malis, Khalasis, Nakarchis, Palki Bhois, Rasoidars, Syces, Shikaries, Sikligars, Sweepers, Tailors, Carpenters, Watermen, and Domestic servants including Khidmatgars, Abdars, Cooks, Butlers, Mashalchis and Maid-servants

- 14 JOINING TIME means the time allowed to a State servant in which to join a new post or to travel to or from a station to which he is posted
- 15 LEAVE ON AVERAGE (OR HALF OR QUARTER AVERAGE) PAY means leave on leave-salary equal to average (or half or quarter average) pay
- 16 LEAVE SALARY means the monthly amount paid by the State to a State servant on leave
- 17 MONTH means a calender month In calculating the period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently
- 18 PAY means the amount drawn monthly by a State servant as -
- (1) The pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and
 - (2) Technical pay, special pay and personal pay, and
 - (3) Any other emoluments which may be specially classed as pay by the Dewan
- 19 PERMANENT POST means a post carrying a definite rate of pay sanctioned without limit to time
- 20 PERSONAL PAY means additional pay granted to a State servant -
- (a) to save him from a loss of substantive pay in respect of a permanent post due to a revision of pay or to any reduction of such substantive pay otherwise than as disciplinary measure, or
 - (b) in exceptional circumstances, on other personal considerations
- 21 PROBATIONER means a State servant employed on probation in or against a substantive vacancy in the cadre of a department
- 22 PUBLIC CONVEYANCE means a train, steamer or other conveyance which plies regularly for the conveyance of passengers

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 - (2) In the case of a student, stipendiary or otherwise, who is entitled to be appointed to the service of the State on passing through a course of training at a University, college or school, during the interval between the satisfactory completion of the course and his assumption of duties
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- 18 PAY means the amount drawn monthly by a State servant as -
- (1) The pay, other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre, and
 - (2) Technical pay, special pay and personal pay, and
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- (a) to save him from a loss of substantive pay in respect of a permanent post due to a revision of pay or to any reduction of such substantive pay otherwise than as disciplinary measure, or
 - (b) in exceptional circumstances, on other personal considerations
- 21 PROBATIONER means a State servant employed on probation in or against a substantive vacancy in the cadre of a department
- 22 PUBLIC CONVEYANCE means a train, steamer or other conveyance which plies regularly for the conveyance of passengers.

23. SPECIAL PAY means an addition, of the nature of pay, to the emoluments of a post or of a State servant, granted in consideration of -
- (a) the specially arduous nature of the duties, or
 - (b) a specific addition to the work or responsibility, or
 - (c) the unhealthiness of the locality in which the work is performed
24. STATE SERVANT means a member of the Bundi State service
25. SUBSISTENCE GRANT means a monthly grant made to a State servant who is not in receipt of pay or leave-salary
26. SUBSTANTIVE PAY means the pay other than special pay, personal pay or emoluments classed as pay by the Dewan, to which a State servant is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre
27. SUPERIOR SERVICE means any kind of service which is not inferior
28. TECHNICAL PAY means pay granted to a State servant in consideration of the fact that he has received special technical training
29. TEMPORARY POST means a post carrying a definite rate of pay sanctioned for a limited time
30. TEMPORARY TRANSFER means transfer for a period not exceeding 2 months, when there is a likelihood of the State servant returning to his old post
31. TIME SCALE PAY means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum
32. TRANSFER means the movement of a State servant from one headquarter station in which he is employed to another such station, either
- (a) to take up the duties of a new post, or
 - (b) in consequence of a change of his headquarters
33. TRAVELLING ALLOWANCE means an allowance granted to a State servant to cover the expenses which he incurs in travelling in the interests of the public service. It includes allowances granted for the maintenance of conveyances, horses and tents
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CHAPTER II.

CLASSIFICATION.

2 The Public Services in Bundi State shall be classified as under:-

- (a) Gazetted Services,
- (b) The Police and Military Services,
- (c) The Subordinate Services, and
- (d) Inferior Services

N. B - Categories (a) (b) and (c) constitute Superior Services

3 The gazetted services shall consist of those state servants who are graded as Officers Grade A in the Bundi State Civil List

4 The Police and Military services shall consist of such state servants who are governed by the Police Act as regards their conduct and dismissal.

5 The Subordinate Services shall consist of all such Bundi State officials in superior service who do not belong either to the gazetted services or to Police and Military services

6 Inferior services shall consist of all such Bundi State servants who are defined as such in these rules

PART II.

CHAPTER III.



APPOINTMENTS.

7 All appointments to the superior services shall be made, subject to the sanction of the Dewan, by the Heads of the various departments on the recommendation of the Public Service Committee except, that the selection grade posts of the superior services shall be made by His Highness in Council. Appointments to the Inferior Services shall be made by the Heads of departments independently of the Public Service Committee

8 No person who is not a bonafide resident of the Bundi State shall be appointed to any post in the Public Services if a suitable and qualified bonafide resident is available to fill that post

9 No appointment to the Superior service made by a Head of department shall be valid unless the same has been sanctioned by the Dewan

10 Persons on their first appointment to the Superior Service may be required to produce a Medical Certificate of Health, which shall be in the form as given in Appendix I, and shall be signed by a Medical Officer in State employ

They shall be considered to be on probation for the first six months of their service unless this condition is waived in the order of their appointment. On the recommendation of the Head of the department or office, the Dewan may extend this period by a further period of 6 months or more



CHAPTER IV.

GENERAL CONDITIONS OF SERVICE

11 A Character and Service Roll shall be maintained by the Head of the department or office in respect of all State servants and all the necessary entries relating to them made therein

12 Unless in any case it be otherwise distinctly provided, the whole time of a State servant is at the disposal of the State, and he may be employed in any manner required by proper authority, without claim for additional remuneration

13 Two or more State servants cannot be appointed substantively to the same permanent post at the same time

14. Unless in any case it be otherwise provided in these rules, a State servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post

PART III.

CHAPTER V.

PAY

15 The pay of all State servants and the various grades of pay have been fixed as shown in the Civil List, and the Pay of any State servant on appointment shall not be so increased as to exceed the minimum pay sanctioned for his post

16 An increment shall not ordinarily be drawn unless it has been sanctioned by the Dewan. An increment may be withheld from a State servant by the head of his department or by any high authority if his conduct has not been good, or his work has not been satisfactory.

17 In ordering the withholding of an increment, the withholding authority shall state the period for which it is withheld, and whether the postponement shall have the effect of postponing future increments

18 Where an efficiency bar is prescribed in a time-scale, the increment next above the bar shall not be given to a State servant without the specific sanction of the Dewan

19 All duty in a post on time-scale counts for increment in that time-scale

20 Service in another post, whether in a substantive or officiating capacity, service on deputation and leave other than extraordinary leave count for increments in the time-scale, provided that the head of the department shall have the power to recommend in any case in which he is satisfied that the leave was taken on account of ill health or for any other cause beyond the State servant's control that the extraordinary leave shall be counted for increment

21 No authority may grant a premature increment to a State servant on time-scale of pay unless it has power to create a post in the same cadre on the same scale

22 All increments in the time-scale shall be drawn on the 1st October of every year. Service of at least 6 months or more in a year shall qualify a State servant for the increments

Explanation - A State servant appointed before the 1st April in any year will be permitted to draw his time-scale

increment on the following 1st October, but a State servant who is appointed on or after the 1st April will not qualify for the increment for that year

23 A State servant who is appointed to officiate in a post shall not draw pay higher than his own pay unless the officiating appointment involves the assumption of duties and responsibilities of greater importance than those attached to his own post. In such a case he may be allowed to draw as an officiating allowance 50% of his pay or the minimum pay of the grade or the post in which he has been ordered to officiate, whichever is less. The Dewan, may, however, fix the pay of an officiating State servant at an amount less than that admissible under this rule.

For officiating in a post for a period under one month, no officiating allowance can be drawn.

24 The authority which orders the transfer of a State servant as a penalty from a higher to a lower grade or post may allow him to draw any pay, not exceeding the maximum of the lower grade or post which it may think proper.

25 If a State servant is, on account of misconduct or inefficiency, reduced to a lower grade or post, or to a lower stage in his time-scale, the authority ordering such reduction shall state the period for which it shall be effective and whether, on restoration, it shall operate to postpone future increments and if so to what extent.

26 *Pay of temporary posts -* When a temporary post is created which may have to be filled by a person not already in State Service, the pay of the post shall be fixed with reference to the minimum that is necessary to secure the services of a person capable of discharging efficiently the duties of the post.

27 When a temporary post is created which will probably be filled by a person who is already a State servant, its pay should be fixed with due regard to -

- (a) the character and responsibility of the works to be performed, and
- (b) the existing pay of State servants of a status sufficient to warrant their selection for the post

CHAPTER VI.

ADDITIONS TO PAY.

28. In addition to the pay the Darbar may grant:-

- (1) personal pay as defined in these rules,
- (2) special pay not exceeding Rs, 100/- every month, or
- (3) technical pay as defined in these rules in addition to the pay of the appointment,
- (4) compensatory allowances, and other allowances admissible under the State Rules,
- (5) house rent.

29 *Personal Pay* - Except when the authority sanctioning it orders otherwise, personal pay shall be reduced by an amount by which the recipient's pay may be increased, and shall cease as soon as his pay is increased, by an amount equal to his personal pay.

30. The Dewan may grant a compensatory allowance for any post if he is satisfied that it is necessitated by the special circumstances in which duty is performed in that post.

31 Personal pay, Special pay, and Technical pay will be drawn by a State Servant while on leave

32 *House Rent*.- The Dewan may grant rent free quarters or house rent to any State servant or class of State servants if he is satisfied that it is in the interest of State service or necessary for the efficient performance of his duties House rent should not ordinarily exceed 10% of the State servant's pay

33 A House rent allowance may be drawn during leave or temporary transfer if -

the authority sanctioning the leave or temporary transfer certifies that the State servant, on the expiry of the leave or temporary transfer, is likely to return to duty at the station from which he proceeds on leave or is transferred

34. *Fees* - The head of a department may permit a State Servant, if it be satisfied that this can be done without detriment to his official duties or responsibilities, to perform a specified service or series of services for a private person or body or for a public body including a body administering a local fund, and to receive as remuneration therefor, if the service be material, a non-recurring or recurring fee

Note - This rule does not apply to the acceptance of fees by medical officers for professional attendance which is regulated by the orders of the Dewan issued in this behalf See Appendix II (Rules for Medical attendance on State Servants) For non-professional attendance such as private x-ray, electro-medical treatment, pathological, bacteriological or analytical work, however, medical officers shall credit to the State Treasury one-quarter of the amount of fees received by them on account of the State apparatus and materials used The scale of fees for work of this nature is laid down in Appendix III

35 Honaria - The Dewan may grant or permit a State servant to receive an honorarium from the general revenues as remuneration for work performed which is occasional in character and either so laborious or of such special merit as to justify a special reward

36 A State servant is eligible to receive without special permission --

- (a) the premium awarded for an essay or plan in public competition,
- (b) any reward for the arrest of a criminal, or for information or special service in connection with the administration of justice,
- (c) any remuneration or reward payable under any special or local law, or in accordance with the provision of any Act or Regulation or Rules framed thereunder, and
- (d) any reward sanctioned for services in connection with the administration of the customs and excise laws

37 The Dewan may appoint a State servant to hold substantively, as a temporary measure, or to officiate in, two or more independent posts at one time In such cases his pay is regulated as follows -

- (a) the highest pay to which he would be entitled if his appointment to one of the posts stood alone, may be drawn on account of his tenure of that post,
 - (b) for each other post he draws such reasonable pay, in no case exceeding half the presumptive pay of the post as the Dewan may fix , and
 - (c) if compensatory allowance is attached to one or more of the posts, he draws such compensatory allowance as the Dewan may fix, provided that this allowance does not exceed the total of such allowance attached to all the posts
-

PART IV.

CHAPTER VII.

LEAVE RULES.

(1) General.

38 *Definitions.*

In these rules :-

“Leave” includes earned leave, leave on private affairs and leave on medical certificate,

“Earned leave” means leave earned in respect of period spent on duty,

“Earned leave due” means the amount of earned leave, calculated as prescribed in these rules, diminished by the amount of earned leave taken

39 Leave is earned by a State servant if he holds any permanent post in the State or holds a lien on a permanent post or would hold a lien on such a post had his lien not been suspended.

40. Leave is earned by duty only For the purpose of this rule a period spent in foreign service counts as duty if contribution towards leave-salary is paid on account of such period

41. (a) Any leave, other than special disability leave, admissible under these rules may be granted to a State servant by the authority who has power to grant leave, as provided for in the Bundi State Constitution.

(b) No leave may ordinarily be granted to a State servant in receipt of pay of Rs.40/- P M or more until a report as to the admissibility of the leave has been obtained from the Office of the Accountant General

42 Leave cannot be claimed as of right When the exigencies of the public service so require, discretion to refuse or revoke leave of any description is reserved to the authority empowered to grant it

43 (1) Leave ordinarily begins on the day on which transfer of charge is effected and ends on the day preceding that on which charge is resumed

(2) When the day immediately preceding the day on which a State servant's leave begins or immediately

following the day on which his leave or joining time expires, is a holiday or one of a series of holidays, the State servant may leave his station at the close of the day before, or return to it on the day following, such holiday or series of holidays, provided that-

- (a) His transfer or assumption of charge does not involve the handing or taking over of securities or of moneys other than a permanent advance;
 - (b) His early departure does not entail a correspondingly early transfer from another station, of a State servant to perform his duties, and
 - (c) The delay in his return does not involve a corresponding delay in the transfer to another station of the State servant who was performing his duties during his absence or in the discharge from State service of a person temporarily appointed to it
- (3) On condition that the departing State servant remains responsible for the moneys in his charge, a competent authority may declare that proviso (2) (a) above is not applicable to any particular case

44 A State servant on leave may not take any service or accept any employment without obtaining the previous sanction of the Dewan. Provided that a State servant who has been granted permission to take any service or accept any employment under this rule, during leave preparatory to retirement, shall be precluded from withdrawing his request for permission to retire and from returning to duty

Note - This rule does not apply to casual literary work or to service as an examiner or similar employment

45 All orders recalling a State servant to duty before the expiry of his leave should state whether the return to duty is optional or compulsory. If the return is optional, the State servant is entitled to no concession. If it is compulsory he is entitled to be treated as on duty from the date on which he starts to rejoin his post and to draw travelling allowance under the State Rules, but to draw until he joins his post, leave-salary only

46 No State servant who has been granted leave on medical certificate may return to duty without first producing a medical certificate of fitness granted by a Registered Medical Practitioner. A Head of a Department may require a State servant to produce a similar certificate in the case of any State servant who has been granted leave for reasons of health, even though such leave was

not actually granted on a medical certificate. In case of a certificate of medical fitness granted by a Registered Medical Practitioner other than the Chief Medical Officer, the Head of a Department may require such certificate to be countersigned by the Chief Medical Officer. All medical certificates of fitness for duty must be granted in the form as shown in the appendix V.

47 Unless he is permitted to do so by the authority which granted his leave, a State servant on leave may not return to duty more than fourteen days before the expiry of the period of leave granted to him.

48 A State servant who remains absent after the end of his leave is entitled to no leave-salary for the period of such absence, and that period will be debited against his leave account as though it were leave without pay, unless his leave is extended by a competent authority. Wilful absence from duty after the expiry of leave or otherwise may be treated as misbehaviour.

(2) Leave Procedure

- 49** (a) The leave account of all State servants in receipt of pay of Rs 40/-p.m or more shall be maintained by or under the direction of the Accountant General, Bundi State
- (b) The leave account of all other State servants shall be maintained by the Head of the Office in which they are employed

50 An application for leave or for an extension of leave must be made to the authority competent to grant such leave or extension.

- 51** (i) All applications requesting sanction of leave for reason of health, irrespective of the fact that the leave applied for is leave on medical certificate or any other kind of leave, must be supported by a certificate of illness granted by a Registered Medical Practitioner.

In the case of a medical certificate of illness granted by a Registered Medical Practitioner, other than the Chief Medical Officer, the Head of a Department may require such certificate to be countersigned by the Chief Medical Officer.

- (ii) All Medical certificates of illness must be granted on the forms as shown in Appendix V.
- (iii) Medical Officers must not recommend the grant of leave in any case in which there appears to be no reasonable prospect that the State servant concerned

will ever be fit to resume his duties In such cases, the opinion that the State servant is permanently unfit for State service should be recorded in the Medical certificate

52. In cases where all applications for leave cannot, in the interests of the public service, be granted, an authority competent to grant such leave should, in deciding which application should be granted, take into account the following considerations.-

- (a) The State servants who can, for the time being best be spared
- (b) The amount of leave due to the various applicants
- (c) The amount and character of the service rendered by each applicant since he last returned from leave.
- (d) The fact that any such applicant was compulsorily recalled from his last leave
- (e) The fact that any such applicant has been refused leave in the public interests

53 Leave should not be granted to a State servant who should be dismissed or removed from State service for misconduct or general incapacity

54 If, in a case an authority competent to remove a State servant from service decides, before such State servant departs on leave, that he will not be permitted to return to duty, it must inform him to that effect before he leaves

55 A State servant, on return from leave, must report his return to the authority entitled to grant him leave A State servant returning from leave is not entitled, in the absence of a specific order to that effect, to resume, as a matter of course, the post which he held before going on leave

(3) Grant of leave.

56 A leave account shall be maintained for each State servant.

57 (1) The earned leave admissible to a State servant in permanent employ is,

- (a) to a State servant in superior service-one-eleventh, and
- (b) to a State servant in inferior service one-twenty-second, of the period spent on duty

Provided that when the earned leave due amounts to-

- (1) 120 days in the case of a State servant in superior service;
- (ii) 30 days in case of a State servant in inferior service; the State servant ceases to earn such leave
- (2) (a) The earned leave admissible to a State servant not in permanent employ is, when in superior service, one-twenty-second of the period spent on duty, provided that when the earned leave due amounts to 30 days, he ceases to earn such leave
- (b) No earned leave is admissible to a State servant in inferior service, not in permanent employ.
- (3) A State servant not in permanent employ, appointed without interruption of duty substantively to a permanent post, will be credited with earned leave which would have been admissible if his previous duty would have been duty as a State servant in permanent employ, diminished by any earned leave already taken. Leave is not an interruption of duty for the purpose of this rule.

58. Leave on private affairs may be granted only to a State servant in permanent employ in superior service and to the following extent, namely -

- (a) in case of gazetted officers one month for each year of service subject to a maximum of 12 months and on any one occasion for not more than 3 months
- (b) in case of all other State servants in superior service 15 days for each year of service subject to a maximum of 8 months and on any one occasion for not more than 2 months

59 Leave on medical certificate not exceeding 12 months in all during a State servant's service, may be granted to a State servant in permanent employ. Such leave shall be given only on production of a medical certificate of illness and for a period not exceeding that recommended in the certificate,

Provided that when the maximum period of 12 months is exhausted, further leave on medical certificate not exceeding 6 months in all may be granted in exceptional cases on the recommendations of a Medical Board.

60 (a) Earned leave is not admissible to a State servant serving in a vacation department in respect of duty performed in any year in which he avails himself of the full vacation

- (b) The earned leave admissible to such a State servant in respect of any year in which he is prevented from availing himself of the full vacation in such proportion of 30 days earned leave as the number of days of vacation not taken bears to the full vacation

If in any year he is prevented from availing himself of the full vacation, earned leave is admissible to him in respect of that year in accordance with the provision of rule 57 (1)

- (c) Vacation may be taken in combination with or in continuation of any kind of leave under these rules, provided that the total duration of vacation and the leave so taken does not exceed 90 days

- 61** (1) Any kind of leave under these rules may be granted in combination with or in continuation of any other kind of leave
- (2) No leave shall be granted beyond the date on which a State servant must compulsorily retire except as provided for in rule 65

Subject to the above and also rule 40, a State servant may at any time be granted the whole or any part of the earned leave due to him.

- 62** (1) Subject to the conditions hereinafter specified the Dewan may grant special disability leave to a State servant who is disabled by injury inflicted or caused in, or in consequence of, the due performance of his official duties or in consequence of his official position
- (2) Such leave shall not be granted unless the disability manifested itself within three months of the occurrence to which it is attributed, and the person disabled acted with due promptitude in bringing it to notice. The Darbar in-Council, if satisfied as to the cause of the disability, may, however, permit leave to be granted in cases where the disability manifested itself more than three months after the occurrence of its cause
- (3) The period of leave granted shall be such as is certified by a Medical Board to be necessary. It shall not be extended except on the certificate of a Medical Board, and shall in no case exceed twelve months
- (4) Such leave may be combined with leave of any other kind.

- (5) Such leave may be granted more than once if the disability is aggravated or reproduced in similar circumstances at a later date, but not more than 12 months of such leave shall be granted in consequence of any one disability
 - (6) Such leave shall be counted as duty in calculating service for pension, and shall not be debited against the leave account
 - (7) Leave-salary during such leave shall be equal-
 - (a) for the first four months of any period of such leave, including a period of such leave granted under clause (5) of this rule, to full pay, and
 - (b) for the remaining period of any such leave to half pay.
- 63.** Study leave may be granted to a State servant, on such terms as the Darbar-in-Council may by general order prescribe, to enable the State servant to study scientific, technical or similar problems or to undergo special courses of instruction. Such leave is not debited against the leave account (See appendix VI)
- 64.** (a) Extraordinary leave may be granted in special circumstances (1) when no other leave is by rule admissible, or (2) when, other leave being admissible, the State servant concerned applies in writing for the grant of special leave. Such leave is not debited against the leave account. No Leave-salary is admissible during such leave
- (b) The authority which has the power to sanction leave may grant extraordinary leave as in clause (a) in combination with, or in continuation of any leave that is admissible
- 65** (a) Leave at the credit of a State servant in his leave account shall lapse on the date on which he must compulsorily retire provided that if in sufficient time before that date he has-
 - (1) Formally applied for leave and be refused it, or
 - (2) Ascertained in writing from the sanctioning authority that leave if applied for would not be granted-

in either case the ground of refusal being the requirements of the public service, then the State servant may be granted, after the date of retirement,

the amount of leave so refused subject to a maximum of 4 months full pay for State servants in Superior service and one month for those in inferior service

- (b) A State servant retained in service after the date of compulsory retirement shall earn leave on full pay, as prescribed in rule 20, and shall be allowed to add thereto any amount of leave which could have been granted to him under clause (a) had he retired on that date. If the State servant has during the period of extension-
 - (1) Formally applied for leave due and been refused it, or
 - (2) Ascertained in writing from the sanctioning authority that leave if applied for would not be granted-

in either case the ground of refusal being the requirements of the public service, then the said State servant may be granted, when his duties finally cease, and preparatory to retirement, the amount of leave so refused up to a maximum of six months

(4) Leave Salary

- 66** (1) A State servant on earned leave is entitled.-
to leave salary equal to his pay on the day before the leave commences
- (2) A State servant on leave on private affairs or leave on medical certificate is entitled to leave salary equal to half his pay

(5) Special Concessions

- 67** A competent authority may grant to a female State servant Maternity leave on full pay which may extend up to the end of 6 weeks from the date of its commencement or to the end of 4 weeks from the date of confinement whichever be earlier. Leave of any other kind may be granted in continuation with this leave if the request for its grant is supported by a medical certificate

Such leave is not debited against the leave account

- 68** (1) A competent authority may grant Hospital leave to a State servant while under medical treatment for illness or injury, if such illness or injury is directly due to risks incurred in the course of his official duties

- (ii) Hospital leave may be granted on leave-salary equal to either full or half pay, as the authority granting it may consider necessary
- (iii) The amount of Hospital leave which may be granted to a State servant is limited to 3 months on full pay in any period of 3 years. Hospital leave on half pay counts, for the purpose of this limit as half the amount of leave on full pay
- (iv) Hospital leave is not debited against the leave account and may be combined with any other leave which may be admissible, provided that the total period of leave after such combination, shall not exceed six months.

69 Leave may be granted to a probationer if it is admissible under the rules which would be applicable to him if he held his post substantively otherwise than on probation. If for any reason it is proposed to terminate the services of a probationer, any leave which may be granted to him should not extend beyond the date on which the probationary period as already sanctioned or extended expires, or any earlier date on which his services are terminated by the orders of an authority competent to appoint him.

70 Leave of the following kinds may be granted to an apprentice:-

- (a) On medical certificate, leave on leave salary equivalent to half-pay for a period not exceeding one month in any year of apprenticeship
 - (b) Extraordinary leave under rule 64
- — —

PART V.

CHAPTER VIII.

TRAVELLING ALLOWANCE RULES

(1) General

71 Travelling allowance is granted to a State servant to cover the actual travelling expenses incurred by him in travelling in the interests of the State service. It is a fundamental principle that the allowances are not to be made a source of profit by the State servant, and the controlling authority should scrutinise all such claims thoroughly.

(2) Grades of State Servants

72 For the purpose of calculating travelling allowance, State servants are divided into four grades as follows -

- (a) The first grade includes all officers of the State whose total emoluments excluding conveyance allowance exceed Rs 750/-
- (b) The second grade includes all State servants in receipt of pay of Rs 175/-, but less than Rs 750/- a month.
- (c) The third grade includes all other State servants in superior service who are in receipt of pay of Rs 40/- per month and above, but less than Rs 175/- per month
- (d) The fourth grade includes all other State servants in superior service whose pay is less than Rs 40/- per month and all servants in the inferior service

73. The Dewan may, for reasons which should be recorded, order that any State servant or class of State servants shall be included in a grade higher or lower than that prescribed in Rule 72.

74 A State servant in transit from one post to another ranks in the grade to which the lower of the two posts would entitle him.

75 A State servant whose whole time is not retained for the public service, or who is remunerated wholly or partly for his services, ranks in such a grade as the Dewan may, with due regard to the State servant's status, declare.

(3) Different Kinds of Travelling Allowances.

76 The following are the different kinds of travelling allowances which may be drawn in different circumstances by State servants -

- (a) Permanent Travelling allowance.
- (b) Conveyance or Horse Allowance.
- (c) Mileage Allowance
- (d) Daily Allowance
- (e) Actual cost of Travelling

The Rules in this chapter explain the nature of these allowances and the method of calculating them. The circumstances in which they may be drawn for particular journeys are described in the later chapters

Section (a)-Permanent Travelling Allowance.

77 A permanent monthly travelling allowance may be granted by the Dewan to any State servant whose duties require him to travel extensively. Such an allowance is granted in lieu of all other forms of travelling allowances for journeys within the State servant's sphere of duty and is drawn all the year round, whether the State servant is absent from his headquarters or not

78 A permanent travelling allowance may not be drawn during leave, temporary transfer or joining time or, unless in any case it be otherwise provided in these rules, during any period in which travelling allowance of any other kind is drawn.

79 When a State servant holds, either substantively or in an officiating capacity, two or more posts to each of which a permanent travelling allowance is attached, he may be granted such permanent travelling allowance, not exceeding the total of all the permanent travelling allowances, as the Dewan may consider to be necessary in order to cover the travelling expenses which he has to incur

Section (b)-Conveyance or Horse Allowance

80 A monthly conveyance allowance or horse allowance may be granted to any State servant who is required to travel extensively at or within a short distance from his headquarters under conditions which do not render him eligible for daily allowance, on the following conditions -

1. The rate of conveyance allowance is as under -

(i) Motor Car.	Rs 75/- per month.
(ii) Pony and Tonga	Rs 16/- ,, ,,
(iii) Bullock and Tonga.	Rs 12/- ,, ,,
(iv) Horse	Rs 12/- ,, ,,
(v) Camel	Rs 8/- ,, ,,
(vi) Pony	Rs 6/- ,, ,,
(vii) Cycle	Rs. 3/- ,, ,,
2	No travelling allowance will be given to State servants in receipt of conveyance allowance for journeys under 10 miles
3	In the case of officers drawing conveyance allowance -
(i)	for journeys within a radius of 10 miles of their headquarters, no travelling allowance except the fixed travelling allowance will be admissible,
(ii)	for journeys beyond a radius of 10 miles from headquarters by road, only the conveyance allowance will be admissible, but the officer may at his option exchange it at the rate of 1/30th for each day, for any travelling allowance, daily allowance or mileage that may be admissible to him under the rules

Horse allowance will not be termed as conveyance allowance for the purpose of this rule

81. Except as otherwise provided in these rules, and unless the authority sanctioning it otherwise directs, a conveyance allowance or horse allowance is drawn all the year round, is not forfeited during absence from headquarters, and may be drawn in addition to any other travelling allowance admissible under these rules

82 A conveyance or horse allowance may not be drawn during joining time. Its drawal during leave or temporary transfer is governed by the following conditions -

- (i) A portion not exceeding one half of an allowance, granted on condition that a motor car or any other conveyance is maintained, may be drawn during leave or temporary transfer if,
 - 1 the substantive pay of the State servant during the period of claim does not exceed Rs 750/-,

- 2 the authority sanctioning the leave or transfer certifies that the State servant is likely, on the expiry of the leave or temporary transfer, due to return to the post from which he proceeds on leave or is transferred, or is to be appointed to a post in which the possession of a motor car or other conveyance as the case may be, will be advantageous from the point of view of his efficiency,
- 3 the State servant certifies that he continued to maintain the vehicle and that the amount claimed was actually spent by him on the maintenance of such conveyance for the period for which the amount is claimed, and that the vehicle was not, during that period, used by any body
- (11) Conveyance allowance to which the certificate of maintenance of the vehicle, horse or any other animal is not attached is not admissible during leave or temporary transfer

Section (c)-Mileage Allowance

83. A mileage allowance is an allowance calculated on the distance travelled, which is given to meet the cost of a particular journey.

- 84.** (a) For the purpose of calculating mileage allowance the journey between two places is held to have been performed by the shortest of the two or more practicable routes or by the cheapest of the two routes as may be equally short, provided that when there are alternative railway routes and the difference between them in point of time and cost is not great, mileage allowance should be calculated on the route actually used
- (b) The shortest route is that by which the traveller can most speedily reach his destination by the ordinary modes of travelling. In case of doubt, the Accountant General will decide which shall be regarded as the shortest of two or more routes
- (c) If a State servant travels by a route which is not the shortest but is cheaper than the shortest, his mileage allowance should be calculated on the route actually used

85. A Minister in charge a Department may for reasons which should be recorded, permit mileage allowance to be calculated on a route other than the cheapest or shortest, provided that the journey is actually performed by such a route

86. The point for any station at which a journey is held to commence or end is the chief public office or such other point as may be fixed for the purpose by the Accountant General. A journey on transfer, however, begins and ends at the actual residence of the State servant concerned,

87. A State servant is required to travel by the class of accommodation for which travelling allowance is admissible to him. The provisions of all rules regulating mileage allowance are subject to the condition that if a State servant travels in a lower class of accommodation he shall be entitled to the fare of the class of accommodation actually used. In case, however, in which the controlling officer is satisfied that there were sufficient reasons for the State servant having travelled by the lower class, he may allow the full travelling allowance admissible for the higher class.

88 Mileage allowance is differently calculated as shown in the following rules according as the journey is or could be made by railway, by sea or river steamer, or by road.

(i) Mileage Allowance for Journeys by Railways

89 For the purpose of calculating mileage allowance, State servants when travelling by railway are considered to be entitled to a class of accommodation according to the following scale —

- (a) State servant of the First Grade-Accommodation of the highest class by whatever name it may be called provided by the railway by which he travels,
- (b) State servant of the Second Grade- Second, or if the line by which he travels provides no second class accommodation on any train, highest class,
- (c) State servant of the Third Grade- (i) If travelling by any railway which provides no inter class accommodation on any of the trains which stops at the station to and from which he is travelling and where there are only two classes, the lower class, and where there are three classes, second class, if his pay is Rs 75/- or above, and third class, if his pay is less than Rs 75/-, and (ii) intermediate class in other cases,
- (d) State servant of the Fourth Grade- Lowest class, whether it is called the lowest, third or fourth

90 The Dewan may, for special reasons which should be recorded, declare any particular State servant or class of State servants to be entitled to accommodation of a higher class than that prescribed for his grade

102. In calculating mileage allowance for journeys by road fraction of a mile should be omitted from the total of a bill for any one journey, but not from the various items which make up the bill

Section (d)- Daily Allowance

103. A daily allowance is a uniform allowance for each day of absence from headquarters, which is intended to cover the ordinary daily charges incurred by a State servant in consequence of such absence

104. Unless in any case it be otherwise expressly provided in these rules a daily allowance may be drawn while on tour by every State servant whose duties require that he should travel and may not be drawn except while on tour.

105 Daily allowance is admissible on the following scale -

(a) To a State servant of the first grade-

Pay up to Rs 750/-	Rs 5/-
Pay exceeding Rs 750/- but not exceeding Rs 1000/-	Rs 6/-
Pay exceeding Rs 1000/-	Rs 6/-for the first 1000/- plus one rupee for every additional Rs 500/- or fraction thereof subject to a maximum of Rs 10/-

(b) To a State servant of the second grade-

Annas 2 for every Rs 12½ pay or fraction thereof subject to a maximum of Rs 4/-

(c) To a State servant of the third grade-

Annas 2 for every Rs. 12½ pay or fraction thereof subject to a minimum of annas -/8/-

(d) To a State servant of the fourth grade-

Annas 2 for every Rs 12½ pay or fraction thereof subject to a minimum of As -/3/-

106 The Dewan may, for reasons which should be recorded and on such conditions as it may think fit to impose, sanction for any State servant or class of State servants daily allowance higher or lower than that prescribed in Rule 105 if he considers that the allowance so prescribed is inadequate or excessive.

Section (e) Actual Expenses

107 Unless in any case it be otherwise expressly provided in these rules no State servant is entitled to be provided with means of conveyance by or at the expense of the State or to draw

as travelling allowance the actual cost or part of the actual cost of travelling. But the Dewan may allow any State servant to claim actual expenses for any particular journey outside the State for special and sufficient reasons.

(4) Travelling Allowances admissible for different kinds of journeys.

Section (a)-General

108 The travelling allowance admissible to a State servant for any journey is calculated with reference to the purpose of the journey in accordance with the rules laid down in the following sections.

109 Unless in any case it be otherwise expressly provided in these rules a State servant making a journey for any purpose is not entitled to recover from the State the cost of transport of his family or personal luggage, conveyance, tents and camp equipage.

110 The Dewan may by general or special order direct that the ordinary rates of daily allowance or mileage allowance or both shall be increased either in a definite ratio or in any other suitable manner for any or all State servants travelling in any specified locality in which travelling is unusually expensive.

111 When a State servant of a grade lower than the first grade is required by the order of a superior authority to travel by special means of conveyance, the cost of which exceeds the amount of the daily allowance or mileage allowance admissible to him under the ordinary rules, he may draw the actual cost of travelling in lieu of such daily or mileage allowance. The bill for the actual cost must be supported by a certificate, signed by the superior authority and counter-signed by the controlling officer, stating that the use of the special means of conveyance was absolutely necessary and specifying the circumstances which rendered it necessary.

112. (a) A State servant of the fourth grade, when travelling by sea or river steamer, may draw, in addition to mileage allowance, daily allowance at double the rate ordinarily admissible to him, provided that, whatever be the nature of other journeys which may be combined with the steamer journey, no further daily allowance may be drawn for any day for which this double allowance is drawn.

(b) The rate of daily allowance for hill-stations and Presidency towns, Karachi and Delhi will be double the ordinary daily allowance admissible under rule 105.

Section (b)-Journeys on Tour.

113 The headquarters of a State servant shall be in such place as Head of his department may prescribe.

114 The Head of a department may define the limits of the sphere of duty of any State servant

115 A State servant is on tour when absent on duty from his headquarters either within or, with proper sanction, beyond his sphere of duty. For the purposes of this section a journey to a hill-station is not treated as a journey on tour

116 In case of doubt the Head of a department will decide whether a particular absence is absence on duty for the purpose of Rule 115

117. The Head of a department may impose such restrictions as it may think fit upon the frequency and duration of journeys to be made on tour by any State servant or class of State servants

118 If the Dewan declares that the pay of a particular State servant or class of State servants has been so fixed as to compensate for the cost of journeys, other than journeys by rail or steamer, within the State servant's sphere of duty, such a State servant may draw no travelling allowance for such journeys though he may draw a mileage allowance or, if he be in inferior service, travelling allowance under rule 121 for journeys by rail or steamer When travelling on duty, with proper sanction beyond his sphere of duty, he may draw travelling allowance calculated under the ordinary rules for the entire journey, including such part of it as is within his sphere of duty The following categories of State servants fall under this rule -

- (1) Revenue Department - Girdawars, Patwaris and Sahnas,
- (2) Survey & Settlement
Department - Munsarims, Amins and other field establishment,
- (3) Forest Department - Girdawars and Zakatis and their Harkaras,
- (4) Customs Department - Inspectors, Zakatis and their Harkaras,
- (5) Excise Department - Inspectors and their Harkaras,
- (6) Police Department - Sub-Inspectors, Moharrirs, Hawaldars and Constables,

119 Travelling allowance drawn by a State servant on tour ordinarily takes the shape of either a permanent travelling allowance or daily allowance, if either of these is admissible to

him A permanent travelling allowance and daily allowance may, however, in certain circumstances be exchanged for mileage allowance either for the whole or part of the actual cost of travelling In certain other circumstances actual cost of travelling may be drawn in addition to daily allowance or for journeys for which no daily allowance is admissible

120 (a) The Dewan may prescribe the scale of State tents to be supplied to any State servant or class of State servants for office and his personal use

(b) When such tents are used by a State servant on tour, they may be carried at State expense

(i) State servants in receipt of permanent travelling allowance.

121 A permanent travelling allowance is intended to cover the cost of all journeys within the sphere of duty of the State servant who draws it, and such a State servant may not draw any other travelling allowance in place of or in addition to the permanent travelling allowance for such journeys, provided that -

(i) a State servant of the fourth grade and any other class of State servants to which the Dewan may extend this concession, may draw, in addition to permanent travelling allowance, single fare for journey by rail, and

(ii) the Dewan may, by general or special order, permit a State servant whose sphere of duty extends beyond the limits of a single district to draw, in addition to the permanent travelling allowance, whenever his actual travelling expenses for a duly authorised journey by a public conveyance exceed double the amount of his permanent travelling allowance for the period occupied in such journey, the difference between such double permanent travelling allowance and the mileage allowance calculated for the journey

122 When a State servant in receipt of permanent travelling allowance travels on duty, with proper sanction, beyond his sphere of duty, he may draw mileage allowance for the entire journey, including such part of it as is within his sphere of duty, and may draw, in addition, the permanent travelling allowance for any day of absence for which he does not draw mileage allowance This rule does not apply to a State servant who travels beyond his sphere of duty in the course of a journey from one place within that sphere to another such place, or to a State servant who makes, by road alone, a journey not exceeding 20 miles

(ii) State servants not in receipt of permanent travelling allowance.

(a) Daily Allowance.

123. Except where otherwise expressly provided in these rules, a State servant, not in receipt of permanent travelling allowance, may draw travelling allowance for journeys on tour in the shape of daily allowance

124 Daily allowance may not be drawn except during absence from headquarters on duty A period of absence from headquarters begins when a State servant actually leaves his headquarters and ends when he actually returns to the place in which his headquarters are situated, whether he halts there or not

125 Daily allowance may not be drawn for any day on which a State servant does not reach a point outside a radius of five miles from his headquarters or returns to his headquarters from a similar point

126 Subject to the conditions laid down in the two succeeding rules, daily allowance may be drawn during halt on tour or on a holiday occurring during a tour

127 Daily allowance may not be drawn for a continuous halt of more than 10 days at one place, provided that the Minister-in-Charge may grant general or individual exemptions from the operation of this rule, on such conditions as it thinks fit, if it is satisfied

- (a) that prolonged halts are necessary in the interests of the public service, and
- (b) that such halts necessitate the maintenance of camp equipage or, where no camp equipage is maintained, continue, after the first ten days, to entail extra expenses upon the halting State servant

128 For the purposes of the three preceding rules

- (a) After a continuous halt of 10 days' duration, the halting place shall be regarded as the State servant's temporary headquarters
- (b) A halt is continuous unless terminated by an absence on duty at a distance from the halting place exceeding five miles for a period including not less than three nights
- (c) In calculating the duration of a halt, any day on which the State servant travels or halts at a distance from the halting place exceeding 5 miles shall be excluded On

such a day the State servant may draw daily allowance or exchange it for mileage allowance if admissible

(b) Mileage Allowance and Actual expenses in place of or in addition to Daily Allowance

129 The Minister-in-Charge a department may, by general or special order and on such conditions as he thinks fit to impose, permit any State servant or class of State servants serving in that department to draw mileage allowance instead of daily allowance for the whole period of any absence from headquarters, if he considers that the nature of the State servant's duty is such that daily allowance is not sufficient to cover his travelling expenses.

130. (a) Subject to any conditions which a Minister-in-Charge a department may by general or special order impose, a State servant in superior service may exchange his daily allowance for mileage allowance on any day on which (1) he travels by railway or steamer or both, or (2) he travels more than 20 miles by road, provided that, if a continuous journey extends over more than one day, the exchange must be made for all such days and not for only a part of them

Note -Short journeys within a radius of 5 miles from headquarters may not be added to other journeys, when calculating the distance travelled by road or the amount of mileage allowance admissible for road journeys

(b) When a journey by road is combined with a journey by railway or steamer under clause (a) (1) of this rule -

(i) Mileage allowance may be drawn on account of such journey by road, but such mileage is limited to the amount of daily allowance unless the journey by road exceeds 20 miles, and

(ii) Unless such a journey by road be a journey to or from the State servant's headquarters (or temporary residence at a place of halt), mileage allowance shall be calculated on the distance actually travelled, without regard to the point fixed by or under rule

131. As a partial exception to the above rule, in the case of halts on tour, half the daily allowance ordinarily admissible under these rules may be drawn in addition to mileage allowance for journeys by rail or by sea or river steamer, or by road, on the day of arrival of the State servant at a place of halt, and on the day

of departure, provided that no daily allowance will be admissible in respect of a place of halt from which the State servant departs on the same day on which he arrived at it

132 Subject to any conditions which a Minister-in-Charge a department may by general or special order impose, a non-gazetted ministerial or menial State servant may, for any day on which he travels by public or hired conveyance under a certificate from the head of his office that he is required to do so, exchange daily, allowance for mileage allowance.

133 The following conditions are applicable to a State servant in inferior service -

- (a) For a journey by railway, he may draw mileage allowance in addition to daily allowance.
- (b) For a journey by sea or river steamer, he may draw travelling allowance under rule 95
- (c) For a journey by road, he may exchange daily allowance for mileage allowance if the journey exceeds 20 miles or the condition of rule 136 is fulfilled.
- (d) For a journey by road combined with a journey by railway or by sea or river steamer, he may draw mileage allowance, limited as in rule 130 (b) (1) except as provided in rule 132, for the road journey, in addition to the allowances admissible under clause (a) or (b) of this rule.

134. A Minister-in-Charge a department may permit any State servant, who is compelled by a sudden emergency to leave his camp and travel rapidly on duty to a place more than twenty miles distant, to draw in addition to mileage allowance the actual cost of maintaining his camp, whether the camp be moved or not, provided that the amount of actual cost drawn shall not exceed the daily allowance of his grade

135 A State servant entitled to daily allowance, whose sphere of duty extends over a whole province may, when making a journey of more than one hundred miles to the first or from the last camp of an extensive tour, recover, in lieu of the daily allowance admissible for the days occupied by such journey, the whole necessary cost of the journey, including the cost of transportation of camp equipment and of servants, horses, motor-cars, motor-cycles, bicycles and private baggage on such scale as the Minister-in-Charge his department may prescribe

136. (a) When the Minister-in-Charge a department is satisfied that it is in the interests of the public service that a particular State servant in that department on tour should send his horses, camels, motor cars,

bicycles or camp equipment by railway or steamer, or by country craft when no steamer service exists capable of conveying the goods or animals or when such means of carriage is cheaper or more expeditious he may, by special order in each case, permit him to recover in addition to the mileage allowance or daily allowance or both, the actual cost of transporting them

Note 1 - In the case of a motor-car, the cost of transporting a chauffeur or cleaner, and for each horse the cost of transporting one syce and one grass-cutter may be drawn

Note 2 - The term motor cycle in this rule includes a side-car

Note 3 - When a motor car is transported by steamer, the actual cost of transporting it may for purposes of this rule, include, besides the freight, other incidental charges such as ghat pass, river dues, loading and unloading charges

(b) The Dewan may by general or special order prescribe limitation on the weight of camp equipment and the number of conveyances and animals to be carried at State expense under clause (a) of this rule by a particular State servant or class of State servants

(c) Journeys and halts within five miles of headquarters.

137 The Dewan may, by general or special order, permit any State servant or class of State servants to draw the actual cost of hiring a conveyance on a journey for which no travelling allowance is admissible under these rules. In case of State servants of IV grade, the Minister-in-Charge may give such permission by a special or general order

138 A State servant travelling on duty within five miles of his headquarters is entitled to recover the actual amounts which he may spend in payment of ferry and other tolls and fares for journey by railway or other public conveyance

139 On the following conditions and any other conditions which he may think fit to impose, the Dewan may, by general or special order, permit any State servant or class of State servants to recover the actual cost of maintaining camp equipage during a halt at headquarters or within five miles of headquarters or during the interval between the State servant's departure from or arrival at headquarters and that of his camp equipage

- (a) The amount drawn, together with any amounts recovered under rule 138, should not exceed the daily allowance of his grade
- (b) The period of the halt or interval for which it is granted should not exceed ten days. An absence on duty from the halting place for less than three nights should not be treated as interrupting the halt or interval
- (c) The State servant must certify that he has maintained the whole or part of his camp equipage during the halt or interval and that the expense of maintenance has not been less than the amount drawn. In the case of a non-gazetted or menial servant, the head of the office must certify that such maintenance was necessary.
- (d) **Journey of a newly-appointed State servant to join his first post**

140 Except as otherwise provided in this section, travelling allowance is not admissible to any person for the journey to join his first post in State service

141 When a pensioner, or a State servant who has been thrown out of employment owing to a reduction of establishment or the abolition of his post, is reappointed to State service, the authority which sanctions his reappointment may permit him to draw travelling allowance for the journey to join his new post

142 When a person is appointed to a post in State service which he cannot join except by sea the Dewan may grant him a free passage by sea

143 Travelling allowance under rule 141 should be calculated as for a journey on tour, and at rates admissible to the grade to which the State servant will belong after joining his post, but no allowance may be drawn for halts on the journeys

(e) Journeys on transfer

144 Travelling allowance may not be drawn under this section by a State servant on transfer from one station to another unless he is transferred for the public convenience and is entitled to pay during the period occupied by the journey. A transfer at his own request should not be treated as a transfer for the public convenience unless the authority sanctions the transfer, for special reasons which should be recorded, otherwise direct

145 A State servant may draw mileage allowance for a journey on transfer including transfer from military to civil employ

146 (a) Unless in any case it be otherwise expressly provided in these rules, a State servant in superior service is entitled for a journey on permanent transfer, to the following concessions -

(1) For journeys by rail or steamer

- (1) He may draw one fare of the class of accommodation to which his grade entitles him, the fares being limited to the lowest rate of such class of accommodation in the case of journeys by steamer
- (ii) He may draw one extra fare for each adult member of his family who accompanies him and for whom full fare is actually paid and one half fare for each child for whom such fare is actually paid
- (iii) He may draw the actual cost of carriage by goods train, steamer or other craft of personal effects up to the following maxima -

MAUNDS -

Grade of State Servant	If not possessing a family.	If possessing a family
First	20	40
Second.	10	20
Third	6	12
Fourth	2	4

provided that the Dewan may prescribe lower maxima for any class of State servant

Note 1 - If a State servant carries his personal effects by passenger, instead of by goods train, he may draw the actual cost of carriage up to a limit of the amount which would have been admissible had he taken the maximum number of maunds by goods train

Note 2 - A State servant who carries his personal effects by road between stations connected by rail may draw actual expenses up to the limit of the amount which would have been admissible had he taken the same quantity by goods train In cases where the actual expenses claimed exceed the limit mentioned above, a competent authority may, for valid reasons, allow such claims subject to the limit of the amount which would have been admissible if the maximum number of maunds had been transported by goods train

Note 3 – Subject to the prescribed maximum number of maunds, a State servant may draw the actual cost of transporting personal effects to his new station from a place other than his old station or from his old station to a place other than his new station, provided that the total amount drawn, including the cost of transporting these personal effects, shall not exceed that admissible had all his personal effects been transported from the old to the new station direct.

(iv) Provided that -

- (1) the distance travelled exceeds 60 miles,-
- (2) the State servant is travelling to join a post in which the possession of a conveyance or horse is advantageous from the point of view of his efficiency, and
- (3) conveyance or horses are actually carried by rail, steamer or other craft,

he may draw the actual cost of transporting at owner's risk conveyances and horses on the scales -

GRADE OF STATE SERVANT.	SCALE ALLOWED
First	Two horses, and a carriage or motor-car or motor cycle.
Second	A carriage and a horse, or a motor-cycle and a horse, or a motor car
Third	One horse or a motor-cycle or ordinary cycle

(2) For a journey by road

- (i) He may draw mileage allowance at the rate applicable to him under rule 100 or any rate, applicable to him, which has been fixed under rule 101 as the case may be
- (ii) He may draw an additional mileage allowance or fare at the rate applicable to him under rule 100 or any rate, applicable to him, which has been fixed under rule 101, as the case may be for each member of his family accompanying him. This, in no way, applies to the husband of a female State servant
- (iii) For the transportation of personal effects, within the limits prescribed in sub-clause (i) (iii) of this clause, he may draw mileage allowance at the rate of one pie per mile per maund
- (b) On temporary transfer a State servant may claim travelling allowance as for a journey on tour

- (c) The following explanations are given of terms employed in clause (a) of this rule -
- (i) The term "personal effects" is not subject to definition, but the controlling officer must satisfy himself that a claim to reimbursement on account of transportation is reasonable
 - (ii) The term "motor cycle" includes a side-car
 - (iii) A member of a State servant's family who follows him within six months from the date of his transfer or precedes him by not more than one month may be treated as accompanying him. If such member travels to the new station from a place other than the State servant's old station, the State servant may draw either the actual fare for the journey made or the fare admissible for the journey from the old to the new station, whichever is less. For the purposes of this rule, the grade of a State servant should be determined with reference to the facts on the date of his transfer while the number of fares admissible should be determined with reference to the facts on the date of the journey in respect of which the travelling allowance is claimed.
- (d) Tents supplied by State are transported at the expense of State. Tents purchased and maintained by a State servant himself may be transported at the expense of State, provided that they do not exceed a scale to be prescribed in this behalf by the Dewan as suitable to a particular State servant or class of State servants. If they exceed this scale, the excess may be treated as a part of personal effects
- (e) A State servant who claims higher travelling allowance on the ground that members of his family accompanied him on transfer must support his claim by a certificate showing the numbers and relationship of the said members
- (f) A State servant claiming the cost of transporting personal effects must support his claim by a certificate that the actual expense incurred was not less than the sum claimed. He should state in the certificate the weight of personal effects actually carried and the amount actually paid for their transport separately by rail, road, steamer or other craft, and the Controlling Officer shall record a certificate that he has scrutinised the details and satisfied himself that the claim is reasonable

(g) A Government servant claiming the cost of transporting a conveyance or a horse by rail or steamer must support his claim by the railway or steamer receipt. In case where the receipt has been lost or has been surrendered to the railway or steamer authorities without a cash receipt having been obtained in exchange and where the production of a duplicate receipt is likely to involve a disproportionate amount of trouble, the audit officer may, at his discretion, dispense with the production of the receipt and accept a certificate to the effect that the amount claimed is not more than the expenses actually incurred.

147 A State servant in superior service transferred from one post to another who, under the orders of competent authority, is permitted to hand over charge of his old post or to take over charge of the new post at a place other than the headquarters is entitled to—

- (1) travelling allowance as on tour from the place of handing over to the place of taking over,
- (2) the difference between one fare of the class of accommodation to which his grade entitles him, limited to the lowest rate of such class of accommodation in the case of journeys by steamer and the number of fares admissible for a journey on transfer, from his old to his new headquarters,
- (3) all the further concessions admissible under rule 146

For the journeys from his old headquarters to the place of handing over charge, or from the place of taking over charge to his new headquarters he will draw travelling allowance as for journeys on tour.

148 A State servant in superior service whose headquarters are changed while he is on tour, and who proceeds to his new headquarters without returning to his old, is entitled to—

- (1) travelling allowance as on tour for his journey up to the new headquarters,
- (2) the difference between one fare of the class of accommodation to which his grade entitles him limited to the lowest rate of such class of accommodation in the case of journeys by steamer, and the number of fares admissible for a journey on transfer, from his old to his new headquarters,
- (3) all the further concessions admissible under rule 146

149 If the family of a State servant, in consequence of his transfer, travels to a station other than the new headquarters,

travelling allowance for the journey of the family may be drawn subject to the condition that it does not exceed the travelling allowance that would have been admissible if the family had proceeded to the new headquarters station

150 A State servant in inferior service is entitled on transfer to draw travelling allowance as for a journey on tour

151. A State servant appointed to a new post while in transit from one post to another is entitled to draw travelling allowance under this section for so much of the journey on transfer as he has accomplished when he receives the fresh orders and for the journey from the place at which he receives such orders to his new station

152 A State servant who goes on leave on full pay, not exceeding four months, after he has given over charge of his old post and before he has taken charge of his new post is entitled, whether the order of transfer is received before or after the commencement of his leave, to travelling allowance under this section as for a journey from his old to his new post

Note - The provisions of Note 3 to rule 150 (a) (1) (iii) apply here also

153. A State servant who takes leave other than leave on full pay not exceeding four months while in transit from one post to another may draw travelling allowance under rule 145 and rule 146 (a) (1) (i) and (ii) and (2) (i) and (ii) for so much of the journey to join the new post as he has accomplished before the order granting his leave is received, in addition to any allowance admissible under rule 154

154 When on return from leave, other than leave on full pay not exceeding four months, a State servant is stationed at a headquarters other than that at which he was stationed when he went on leave, the controlling officer may permit him to recover travelling allowance under sub-clauses (1) (iii) and (iv) and (2) (iii) of rule 146 (a) as for a journey from his old to his new station

Note - The provisions of Note 3 to Section 146 (a) (1) (iii) apply here also

155 When a State servant is permitted for his own convenience to perform his duties at a hill station, he is not entitled to daily allowance or mileage allowance for the journey to or from such station or for the period during which he halts at it

(f) Journey to attend an examination within the State

156 A State servant is entitled to draw travelling allowance for the journey to and from the place at which he appears for an examination of any of the following kinds -

- (a) An obligatory departmental or language examination.
- (b) An examination held under any rules in force in the vernacular language of a frontier or hill tribe.
- (c) In the case of a military officer in civil employ, an examination for promotion in Military rank
- (d) In the case of a civil assistant surgeon or sub-assistant surgeon, an examination designed to test his fitness to rise above an efficiency bar in a time-scale.

Provided that -

- (1) travelling allowance shall not be drawn under this rule more than twice for any particular examination or standard of examination, and
- (2) the Head of a department may disallow travelling allowance under this rule to any candidate who, in his opinion-
 - (i) has culpably neglected the duty of preparing himself for an obligatory examination,
 - (ii) does not display a reasonable standard of proficiency in an examination which is not obligatory

157 The Minister-in-Charge a department may permit a State servant to draw travelling allowance for the journey to and from the place at which he appears for any examination other than those specified in rule 136

158 Travelling allowance under this section should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys

(g) Journey when proceeding on or returning from leave

159. Except as otherwise provided in these rules, a State servant is not entitled to any travelling allowance for a journey made during leave or while proceeding on or returning from leave

160. The Dewan may, for special reasons which should be recorded, permit any State servant to draw, for a journey of the kind specified in rule 159, travelling allowance as for a journey on tour

161. (a) When a State servant is compulsorily recalled to duty before the expiry of his leave and the leave is thereby curtailed by not less than one month, he is entitled to draw mileage allowance for the journey

from the place at which the order of recall reaches him or, if the journey involves travelling by sea, from the port at which he lands in India to the station to which he is recalled. If the period by which the leave is curtailed is less than a month, mileage allowance may be allowed at the discretion of the authority recalling the State servant

- (b) If the State servant recalled to duty is entitled to travelling allowance under rule 162, he may not draw mileage allowance under clause (a) unless he abandons his claims to the mileage allowance specified in rules 145 and 146 (a) (1) (1) and (2) (1)

162 A State servant granted joining time on departure on or return from leave, to proceed from or to the place at which he is posted to or from specified stations, when the place concerned is in a remote locality which is not easy of access, may draw travelling allowance for the journey as for a journey on transfer

(h) Journey on Retirement, Dismissal or Termination of Employment

163. Unless in any case it be otherwise expressly provided in this section, no person is entitled to any travelling allowance for a journey made after retirement or dismissal from State service or after the termination of such service.

164 The Dewan may, for special reasons which should be recorded, permit any State servant to draw travelling allowance for a journey of the kind mentioned in rule 163

165 Travelling allowance under rule 164 should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys.

(i) Journey to Give Evidence or to Attend a Court of Law as Assessor or Juror

166 The following provisions apply to a State servant who is summoned to give evidence—

- (a) in a criminal case, a case before a Court-martial, a civil case to which State is a party or a departmental inquiry held by a properly constituted authority, or
- (b) before a court in any other Indian State or in foreign territory,

provided that the facts as to which he is to give evidence have come to his knowledge in the discharge of his public duties –

- (i) He may draw travelling allowance as for a journey on tour, attaching to his bill a certificate of attendance given by the court or other authority which summoned him.
- (ii) When he draws such travelling allowance, he may not accept any payment of his expenses from the court or authority Any fees which may be deposited in the Court for the travelling and subsistence allowance of the witness must be credited to State
- (iii) If the Court in which he gives evidence is situated within five miles of his headquarters and no travelling allowance is therefore admissible for the journey, he may, if he be not in receipt of permanent travelling allowance, accept such payment of actual travelling expenses as the court may make

Note - A State servant summoned to give evidence while on leave is entitled to the concessions described in this rule

167 A State servant summoned to give evidence in circumstances other than those described in rule 166 or to serve as an assessor or juror in a court of Law is not entitled, by reason of his position as a State servant, to any payments other than those admissible by the rules of the court If the court pays him any sum as subsistence allowance or compensation, apart from payment for travelling expenses, he must credit that sum to State before drawing full pay for the day or days of absence.

(j) Journey within the State to obtain medical treatment, advice or certificate or to appear before a Medical Board

168. When a member of the first grade is serving in a station where there is no medical officer appointed by State to attend him and when such officer or a member of his family requires medical treatment or advice -

- (i) travelling allowance for the journey to and from the nearest station where there is such a medical officer may be granted to the officer or member of his family, or
- (ii) in the alternative, if the patient is too ill to travel; travelling allowance may be granted to the nearest such medical officer from and to his headquarters

In either case the application for travelling allowance must be supported by a certificate signed by the medical officer in question to the effect that medical treatment or advice was necessary, and, in the case of (ii) that the patient was too ill to travel The controlling officer may require this certificate to be countersigned by the Chief Medical Officer of the State.

169 If, in order to obtain medical advice, a State servant is compelled to leave a station at which he is posted and at which there is no State medical officer and travels to another station, he may, on production of a certificate from the medical officer consulted that the journey was, in his opinion, absolutely necessary, draw travelling allowance for the journey

170 If a State servant, being stationed where there is no State medical officer, is required to obtain a medical certificate from a State medical officer in support of an application for an original grant of leave, he may draw travelling allowance for the journey undertaken to obtain that certificate

Note -Travelling allowance is not admissible for a journey to obtain a medical certificate in support of an application for an extension of leave

171 If a State servant, having obtained a medical certificate in support of an application for an original grant of leave is required to appear before a medical board, or to appear before a nominated State medical officer for further opinion as to the necessity for the leave recommended in that certificate, may draw travelling allowance for the journey undertaken to obtain that opinion

Note -Travelling allowance is not admissible for a journey to obtain a second medical opinion in support of an application for an extension of leave

172 The journeys contemplated by rule 169 and 170 should not be undertaken without the previous permission of the controlling officer, if such permission can be obtained without risk to the State servant requiring medical advice

173. (a) A State servant who is directed by his official superior, in the interests of the public service, to apply for an invalid pension may, if he be required to make a journey in order to appear before a medical board, draw his actual travelling allowance calculated for the journey. If it be necessary for him to return to his headquarters after appearing before the medical board, he may draw his actual expenses subject to the same maximum. In both cases his travelling allowance bill must be supported by a certificate that he was directed to apply for an invalid pension in the interests of the public service and that he did not voluntarily ask to retire.

(b) The Head of a department may allow actual expenses, as limited by clause (a) of this rule, to be drawn by a State servant who is satisfied that the circumstances of the applicant are such as to justify the concession

174 Except as provided in rules 171 and 173, no travelling allowance is admissible for a journey undertaken in order to appear before a medical board

175 Travelling allowance under rules 168, 169, 171 and 173 (a) should be calculated as for a journey on tour, but no allowance may be drawn for halts on the journeys

(k) Journey in attendance of an incapacitated State servant or member of his family

176 A State medical officer who considers that a State servant on whom it is his duty to attend professionally should leave his station to obtain medical advice or treatment or to proceed on leave, and that it is unsafe for him to travel unattended, may, if he does not himself accompany him, arrange for an attendant to do so, and the attendant (a) if a State servant, shall be deemed to have been travelling on duty and may draw travelling allowance for the outward and return journey as for a journey on tour, and (b) if not a State servant, may draw actual expenses

When the medical officer's opinion as to the necessity for the journey and for an attendant during it can not be obtained before its commencement, a certificate from him that the journey with an attendant was necessary is sufficient for the purpose of this rule

This rule also applies to attendants on members of a State servant's family when entitled to travelling allowance under rule 168

(l) Journey on a course of training.

177 When a State servant or a student not already in State service is selected to undergo a course of training at State expense, the Minister-in-Charge the department may decide the scale, if any, on which he shall draw -

- (a) travelling allowance for the original journey to and the last journey from the place of training, and for halts at such place -
- (b) in the case of training at a school, college or similar institution, travelling allowance for similar journeys on the occasion of holidays and vacations, and
- (c) travelling allowance for journeys during the course of training -

Provided that the scale so fixed shall not exceed that admissible to State servants of similar status on duty at the place of training

(m) Journey to attend a Darbar, levee or a public function.

178 A State servant who is permitted to attend a Darbar, a levee or any other public function elsewhere than at his Headquarters may draw travelling allowance for the journey as for a journey on tour

(n) Other Journeys

179 Except where otherwise expressly provided in these rules, when, on a journey other than a journey by railway or by sea or river steamer, a State servant uses a means of locomotion provided at the expense of State or local fund and does not pay the cost of its use or propulsion he is entitled to travelling allowance as follows -

- (a) If he has not to provide separate conveyance at his own expense for his servant or luggage, he may draw the daily allowance of his grade and may not exchange it for mileage allowance. If, however, part of the journey is made by other means of locomotion, he may at his option draw in lieu of daily allowance the mileage allowance admissible for that part
- (b) If he has to provide separate conveyance at his own expense for his servants or luggage, he may, if the conditions of rule 180, 181 and 182 are fulfilled, exchange his daily allowance for half the mileage allowance calculated for the journey and draw in addition the mileage allowance admissible for any part of the journey made by other means of locomotion

180 When a State servant is provided with means of locomotion as in rule 179, but he pays all the cost of its use or propulsion, he may draw travelling allowance under the ordinary rules, subject to the deduction of such fixed hire or charge as the Head of the department may fix

181 The provisions of rules 179 and 180 do not apply to a State servant of the fourth grade or to any other State servant or class of State servants to whom the Head of the department may declare them to be inapplicable

They do not apply to State servants who are provided with elephants required for the conduct of professional operations and not for their private use

182 A State servant, who travels by a motor car which has been supplied to him at the expense of State on the condition that he himself bears the ordinary cost of maintenance, may draw travelling allowance as for a journey on tour, but the amount of the mileage allowance which he may draw is limited by the following conditions -

- (a) If he travels by the motor car more than 20 miles in one day, he may draw for the first 20 miles the mileage allowance of his grade and for the remainder of the journey three-fourths of such mileage allowance
- (b) If he combines with a journey by the motor car a road journey by other conveyance, he may draw the mileage allowance admissible for the first 20 miles or for the journey by other conveyance, whichever is greater, and for the remainder of the journey three-fourths of such mileage allowance
- (c) If he combines with a journey by road, whether made wholly or partly in the motor-car, a journey by railway or steamer, he may draw mileage allowance for the journey by railway or steamer in addition to the allowances admissible under clauses (a) and (b) of this rule for the journey by road

183 The chauffeur of a motor car supplied at the expense of State, when making a journey by road on the motor-car in his charge, may draw travelling allowance under the provisions of rule 179 (a) if the journey involves an absence of at least one night from his headquarters. For a journey which does not involve such an absence he is entitled to no travelling allowance.

(5) Persons other than in State Service.

- 184**
- (a) When any person, not being State servant is required to attend any meeting of a commission of enquiry or of a board, conference, committee or departmental inquiry conveyed under proper authority, or is required to perform any public duties in an honorary capacity, the Dewan may grant him travelling allowance for the journey calculated under the ordinary rules for the journey of a State servant on tour, and for this purpose may, with due regard to such person's position in life, declare by general or special order, the grade to which he shall be considered to belong
 - (b) In a case of the kind contemplated by clause (a) of this rule, a competent authority may, in its discretion, grant to the person concerned his actual travelling, hotel and carriage expenses instead of travelling allowance under that clause, if it considers that such allowance would be inadequate
 - (c) A competent authority may delegate the power conferred upon it by clause (a) of this rule to the State servant presiding over the meeting of the commission or other body which the person concerned is required to attend

(6) Controlling Officers.

Signature on travelling allowance bills

185 For the purpose of travelling allowance rules, the Heads of departments shall be the controlling officers of all State servants serving in their departments, the Ministers for the Heads of departments under them and the Dewan for the Ministers The Dewan shall also be his own controlling officer

186 Except as provided in rule 185, no bill for travelling allowance other than permanent travelling allowance, shall be paid unless it be signed or countersigned by the controlling officer of the State servant who presents it

187 Except where expressly permitted by the Dewan a controlling officer may not delegate to a subordinate his duty of countersignature

Duties and powers.

188 It is the duty of a controlling officer, before signing or countersigning a travelling allowance bill -

- (a) to scrutinise the necessity, frequency and duration of journeys and halts for which travelling allowance is claimed, and to disallow the whole or any part of the travelling allowance claimed for any journey or halt if he considers that a journey was unnecessary or unduly protracted or that a halt was of excessive duration,
 - (b) to scrutinise carefully the distances entered in travelling allowance bills,
 - (c) to satisfy himself that mileage allowance for journeys by railways or steamer, excluding additional fare or fares allowed for incidental expenses, has been claimed at the rate applicable to the class of accommodation actually used and that, where the actual cost of transporting servants, personal effects, etc, is claimed under these rules, the scale on which such servants, effects, etc, were transported was reasonable, and to disallow any claim which in his opinion does not fulfil that condition,
 - (d) to check any tendency to abuse the option of exchanging daily allowance for mileage allowance, and
 - (e) to observe any subsidiary rules which the Dewan may make for his guidance
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CHAPTER IX.

JOINING TIME.

189 Joining time may be granted to a State servant to enable him -

- (a) to join a new post to which he is appointed while on duty in his old post, or
- (b) to join a new post,
 - (i) on return from leave of not more than 4 months duration, or
 - (ii) when he has not had sufficient notice of his appointment to the new post on return from leave

190 A State servant on joining time shall be regarded as on duty and shall be entitled to draw his salary for that period

191. A State servant who does not join his post within his joining time is entitled to no pay or leave-salary after the end of the joining time. Wilful absence from duty after the expiry of joining time may be treated as misbehaviour

192 Not more than one day is allowed to a State servant in order to join a new post when the appointment to such post does not necessarily involve a change of residence from one station to another. A holiday counts as a day for the purpose of this rule

193 The joining time of a State servant in cases involving necessary change in station is subject to a maximum of 15 days. 3 days are allowed for preparation and, in addition, a period to cover the actual journey calculated as follows -

- (a) A State servant is allowed -

For the portion of the journey which he travels or might travel by railway	<i>One day for 250 miles.</i>
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By motor car or public bus service	<i>80 miles</i>
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In any other way	<i>20 miles</i>
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- (b) A day is allowed for any fractional portion of any distance prescribed in clause (a)
- (c) Travel by road not exceeding five miles to or from a railway station at the beginning or end of a journey does not count for joining time.

- (d) A State servant whose pay does not exceed Rs 100/- is not ordinarily expected to travel by a motor car, and his joining time is calculated accordingly
- (e) The authority sanctioning the transfer may, in special circumstances reduce the period of joining time admissible under this rule, and may even fix the date by which the State servant is to join his new post

194 If a State servant takes leave while in transit from one post to another, the period which has elapsed since he handed over charge of his old post must be included in his leave, unless the leave is taken on medical certificate. In the latter case the period may be treated as joining time

195. If a State servant is appointed to a new post while on leave of not more than 4 months duration, his joining time will be calculated from his old station or from the place in which he received his order for appointment, whichever calculation will entitle him to the less joining time

196 A competent authority may in any case extend the joining time admissible under these rules, provided that the general spirit of the rules is observed

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PART VI.

CHAPTER X.

CONDUCT AND DISCIPLINE.

197 Gifts, gratuities and rewards

- (1) Save as otherwise provided in this rule, no State servant shall, except with the previous sanction of the Darbar -
 - (a) accept directly or indirectly on his own behalf or on behalf of any other person, or
 - (b) permit any member of his family to accept, any gift, gratuity, or reward or any offer of a gift, gratuity, or reward from any person who is not related to him
- (2) A State servant may accept a gift from the ruler of a State.
- (3) Subject to the provisions of any general or special order of the Darbar, a State servant may accept a complimentary gift of flowers or fruit or similar articles of trifling value, but all State servants shall use their best endeavours to discourage the tender of such gifts
- (4) If a State servant cannot, without giving undue offence, refuse a gift of substantial value, he may accept the same, but shall, unless the Darbar by special order otherwise direct, deliver the gift to the Darbar
- (5) Subject to the provisions of any rules made by the Darbar not repugnant to such rules, a medical officer may accept a fee in good faith by any person or body of persons in recognition of his professional services

198 Public demonstrations in honour of State servants.

- (1) Save as otherwise provided in this rule, no State servant shall, except with the previous sanction of the Darbar:-
 - (a) receive any complimentary or valedictory address, accept any testimonial or attend any public meeting or entertainment held in his honour, or
 - (b) take part in the presentation of a complimentary or valedictory address or of a testimonial to any other State servant or to any person who has recently quitted the service of State, or attend a public meeting or entertainment held in honour of such other State servant or person

(2) Notwithstanding anything contained in sub-rule (1) -

- (a) a State servant may at the request of any public body sit for a portrait, bust or statue not intended for presentation to him,
- (b) subject to the provisions of any general or special order of the Darbar, a State servant may take part in the raising of a fund to be expended, in recognition of the services of any other State servant or of a person who has recently quitted the service of the State, on the foundation of a scholarship or on any other public or charitable object or on the execution of any portrait, bust or statue not intended for presentation to such other State servant or person,
- (c) subject to the provisions of any general or special order of the Darbar, a State servant may attend a farewell entertainment of a substantially private and informal character held as a mark of regard to himself or to any other State servant, or to a person who has recently quitted the service of the State, on the occasion of the retirement from the service or departure from a district or station of himself or such other State servant or person.

199 Lending and borrowing

(1) No State servant shall lend money to any person possessing land within the local limits of his authority, or, except in the ordinary course of business with a bank or firm of standing, borrow money from, or otherwise place himself under a pecuniary obligation to, any person subject to his official authority, or residing, possessing immovable property or carrying on business within the local limits of such authority

(2) When a State servant is appointed or transferred to a post of such a nature that a person from whom he has borrowed money or to whom he has otherwise placed himself under a pecuniary obligation will be subject to his official authority, or will reside, possess immovable property or carry on business within the local limits of such authority, he shall forthwith report the circumstances to the Darbar, and shall thereafter act in accordance with such orders as may be passed by the Darbar

200 Buying and selling houses and other valuable property

Save in the case of a transaction conducted in good faith with a regular dealer or permitted under rule 201, a State servant

who intends to transact any purchase, sale or disposal by other means of movable or immovable property exceeding in value Rs 200/- with any person possessing immovable property or carrying on business within the local limits of the official authority of such State servant, shall declare his intention to the Local Government. The declaration shall state fully the circumstances, the price offered or demanded and, in the case of disposal otherwise than by sale, the method of disposal, and the State servant shall thereafter act in accordance with such orders as may be passed by the Darbar.

Provided that a State servant who is about to quit the local limits of his official authority may, without reference to the Darbar, dispose of any of his movable property by circulating lists of it among the public generally or by causing it to be sold by public auction.

201 Holding or acquiring immovable property

- (1) No State servant domiciled outside Bundi State shall, save in good faith for the purpose of residence, directly or indirectly hold or acquire immovable property within the Bundi State.
- (2) No State servant domiciled in Bundi State shall, save in good faith for the purpose of residence, acquire any immovable property in Bundi State by purchase or gift, except with the previous sanction of the Darbar.

202 Control over immovable property held or acquired by State servants

Subject to the provisions of any general or special order of the Darbar, every State servant or candidate for State service shall make to the Darbar, through the usual channel, a declaration of all immovable property in Bundi State from time to time held or acquired by him or by his wife or by any member of his family living with, or in any way dependent upon him. The declaration shall state the Tehsil within which the property is situated and shall contain such further information as the Darbar may by general or special order require.

203. Investments

- (1) No State servant shall speculate in investments. For the purposes of this sub-rule, the habitual purchase and sale of securities of notoriously fluctuating value shall be deemed to be speculation in investments.
- (2) No State servant shall make any investment likely to embarrass or influence him in the discharge of his official duties.

(3) If any question arises whether a security or an investment is of the nature referred to in sub-rule (1) or sub-rule (2) respectively, the decision of the Darbar thereon shall be final

204 Private trade or employment.

No State servant shall, except with the previous sanction of the Darbar, engage in any trade or undertake any employment or work, other than his official duties

Provided that a State servant may, without such sanction, undertake honorary work of a social or charitable nature or occasional work of a literary or artistic character, subject to the condition that his official duties do not thereby suffer, but he shall not undertake, or shall discontinue, such work if so directed by the Darbar

205 Insolvency and habitual indebtedness

A State servant shall avoid habitual indebtedness. If a State servant is adjudged or declared insolvent, or if a moiety of his salary is frequently attached for debit or it is proved that he owes more than two years' pay, he may, unless he proves that the insolvency or indebtedness is the result of circumstances which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control, and has not proceeded from extravagant or dissipated habits, be presumed to have contravened this rule. A State servant who applies to be or is adjudged or declared insolvent, shall forthwith report his insolvency to the head of the office or department in which he is employed

206 Communication of official documents or information

No State servant shall, except in accordance with any special or general order of the Darbar, communicate, directly or indirectly, any official document or information to a State servant unauthorised to receive the same to a non-official person, or to the Press

207 Connection with press

No State servant shall, except with, and during the continuance of, the previous sanction of the Darbar, own in whole or in part, or conduct or participate in the editing or management of any newspaper or other periodical publication

208. Anonymous publication of document and anonymous communications to the press

No State servant shall, in any document which he publishes anonymously or in any anonymous communication to the Press,

criticise the policy or action of the British Government, Bundi State or any other State intemperately or unreasonably A State servant shall in respect of any such publication or communication be subject to the provisions of Rule 206

209 Publication of documents and communications to the press in the name of State servants and public speeches.

- (1) No State servant shall, in any document published under his own name or in any communication made to the Press under his own name or in any public utterance delivered by him, make any statement of fact or opinion which is capable of embarrassing-
 - (a) the relations between the Darbar or any State official and the people of India or any section thereof, or
 - (b) the relations between His Highness or his Government and the British Government or the Prince or Chief of any State in India
- (2) A State servant who intends to publish any document under his own name or to make any communication to the Press under his own name or to deliver any public utterance containing statements in respect of which any doubt as to the application of the restrictions imposed by sub-rule (1) may arise shall submit to the Darbar a copy or draft of the document which he intends to publish or of the utterance which he intends to deliver, and shall thereafter act in accordance with such orders as may be passed by the Darbar

210 Evidence before committees

- (1) No State servant shall give evidence before a public committee, except with the previous sanction of the Darbar
- (2) No State servant giving such evidence shall criticise the policy or decisions of the British Government, Bundi State or of any other State
- (3) This rule shall not apply to evidence given before statutory committees which have power to compel attendance and the giving of answers, nor to evidence given in judicial inquiries

211 Taking part in politics and elections

- (1) (i) Subject to any general or special order of the Darbar, no State servant shall take part in, subscribe

in aid of, or assist in any way any political movement relating to Indian affairs.

Explanation - The expression "political movement" includes any movement or activities tending directly or indirectly to excite disaffection against, or to embarrass, the Government as by law established, or to promote feelings of hatred or enmity between different classes of His Majesty's subjects, or to disturb the public peace

- (11) No State servant shall permit any person dependent on him for maintenance or under his charge or control to take part in, or in any way assist, any movement or activity which is, or tends directly or indirectly to be, subversive of Government as by law established in Bundi State

Explanation - A State servant shall be deemed to have permitted a person to take part in or assist a movement or activity within the meaning of clause (11) if he has not taken every possible precaution and done everything in his power to prevent such person from so acting, or if, when he knows or has reason to suspect that such person is so acting, he does not at once inform the Darbar or the officer to whom he is subordinate

- (2) No State servant shall canvass or otherwise interfere or use his influence in connection with, or take part in, any election to a legislative body, whether in Bundi State or elsewhere,

Provided that a State servant who is qualified to vote at such election may exercise his right to vote, but, if he does so, shall give no indication of the manner in which he proposes to vote or has voted

- (3) A State servant who issues an address to electors or in any other manner publicly announces himself or allows himself to be publicly announced as a candidate or prospective candidate for election to a legislative body shall be deemed for the purposes of sub-rule (2) to take part in an election to such body.
- (4) The provisions of sub-rules (2) and (3) shall, so far as may be, apply to elections to local authorities or bodies, save in respect of State servants required or permitted by or under any law, or order of the Darbar, for the time being in force to be a candidate at such elections

212 Vindication of acts and character of State servants as such

- (1) No State servant shall, except with the previous

sanction of the Darbar, have recourse to any Court or the Press for the vindication of his official acts or character from defamatory attacks

- (2) Nothing in sub-rule (1) shall derogate from the right of a State servant to vindicate his private acts or character

213 Control of State servants outside Bundi State.

The Dewan of the State shall, for the purposes of these rules, be deemed to be acting on behalf of the Darbar in respect of a State servant who is on leave, or on duty, outside Bundi State.

214. Saving

Nothing in these rules shall be deemed to derogate from the provisions of any law, or of any order of any competent authority, for the time being in force, relating to the conduct of State servants

CHAPTER XI.

REMOVALS AND SUSPENSIONS

215 The pay and allowances of a State servant who is removed from service cease from the date of such removal

216 A State servant under suspension is entitled to a subsistence grant at such rates as the suspending authority may direct but not exceeding one-quarter of the pay of the suspended servant

217 When the suspension of a State servant as a penalty for mis-conduct is, upon re-consideration or appeal, held to have been unjustifiable or not wholly justifiable, or when a State servant who has been dismissed or removed or suspended, pending enquiry into alleged misconduct is, re-instated, the revising or appellate authority may grant him for the period of his absence from duty -

- (a) if he is honorably acquitted, the full pay to which he would have been entitled if he had not been dismissed, removed or suspended, less any subsistence grant he may have drawn under rule 216, and by an order to be separately recorded, any allowance of which he was in receipt prior to dismissal, removal or suspension, or
- (b) if otherwise, such proportion of such pay and allowances as the revising or appellate authority may prescribe.

In a case falling under clause (a) the period of absence from duty will be treated as a period spent on duty In a case falling under clause (b) it will not be treated as a period spent on duty unless the revising or appellate authority so directs

218. Leave may not be granted to a State servant under suspension

CHAPTER XII.

PENALTIES, DEPARTMENTAL ENQUIRIES AND TRIALS.

219. The following penalties may, for good and sufficient reason and as hereinafter provided be imposed on members of the Public Services comprised in (a) or (b) of rule 2.

- 1 Censure
- 2 Withholding of increments or promotion, including stoppage at an efficiency bar.
- 3 Reduction to a lower post or time-scale, or to a lower stage in a time-scale
- 4 Recovery from pay of the whole or part of any pecuniary loss caused to the State by negligence or breach of orders.
- 5 Suspension.
- 6 Removal from the Public services of the State which does not disqualify from future employment
- 7 Dismissal from the Public services of the State which ordinarily disqualifies from future employment

Explanation -The discharge,

- (a) of a person appointed on probation, during the period of probation,
- (b) of a person appointed otherwise than under contract to hold a temporary appointment, on the expiration of the period of the appointment,
- (c) of a person engaged under contract, in accordance with the terms of his contract,
does not amount to removal or dismissal within the meaning of this rule.

220. No member of the Superior Services who has been appointed by His Highness in Council shall be removed or dismissed except by an order of His Highness in Council

221 Whenever there is any charge or allegation against a State servant, the Head of the department will make or cause to be made by an officer senior in rank to the officer charged, a departmental inquiry sufficient to test the truth of the charge

On the conclusion of this inquiry he will decide whether further action is necessary, and, if so, whether the officer charged should be departmentally tried, or whether the Dewan is moved to take cognizance of the case under the Cr P C

222 State officers may be departmentally tried -

- 1 After he has been tried judicially,
- 2 After a Magisterial inquiry under the Cr P C
- 3 After a police investigation under the Cr P. C or a departmental inquiry

223 No order of dismissal, removal or reduction shall be passed on a member of the Public Services (other than an order based on facts which have lead to his conviction in a Criminal Court) unless he has been informed in writing of the grounds on which it is proposed to take action, and has been afforded an adequate opportunity of defending himself The grounds on which it is proposed to take action shall be reduced to the form of a definite charge or charges, which shall be communicated to the person charged together with a statement of the allegations on which each charge is based and of any other circumstances which it is proposed to take into consideration in passing orders on the case He shall be required, within reasonable time, to put in a written statement of his defence and to state whether he desires to be heard in person If he so desires or if the authority concerned so direct, an oral inquiry shall be held At that inquiry oral evidence shall be heard as to such of the allegations as are not admitted, and the person charged shall be entitled to cross-examine the witnesses, to give evidence in person and to have such witnesses called, as he may wish, provided that the officer conducting the inquiry may, for special and sufficient reason to be recorded in writing, refuse to call a witness The proceedings shall contain a sufficient record of the evidence and a statement of the findings and the grounds thereof

This rule shall not apply where the person concerned has absconded, or where it is for other reasons impracticable to communicate with him All or any of the provisions of the rule may, in exceptional cases, for special and sufficient reasons to be recorded in writing, be waived, where there is a difficulty in observing exactly the requirements of the rule and those requirements can be waived without injustice to the person charged

No Vakil, defence counsel or any person in a similar capacity shall be allowed at any departmental inquiry or trial.

Note The Dewan's instructions as regards the holding of departmental inquiries and trials are contained in appendix VII.

CHAPTER XIII.

~~THE JUDICIAL~~ **APPEALS**

224 Appeals in departmental actions will lie as follows:-

1. To the Head of the department for action taken by one of his subordinates
2. To the Minister-in-Charge on an order by the Head of the department
3. Action against an officer whose pay is Rs 100/- but less than Rs 200/- the Minister-in-Charge will take departmental action and the appeal will lie to the Dewan
4. For officers getting Rs. 200/- and over the Dewan will take departmental action and the appeal will lie to the Darbar in Council

In all cases a proper finding must be written and when appeals are heard officers must go through the case carefully and record reasons in writing for upholding or rejecting the appeal.

225. In the case of an appeal against the order imposing any penalty specified in Rule 219 the appellate authority shall consider -

- (a) whether the facts on which the order was based have been established,
- (b) whether the facts established afford sufficient ground for taking action, and
- (c) whether the penalty is excessive, adequate, or inadequate,

and after such consideration shall pass such order as it thinks proper

226 An authority from whose order an appeal is preferred under these rules shall give effect to any order made by the appellate authority.

227 Every person preferring an appeal shall do so separately and in his own name

228 Every appeal preferred under these rules shall contain all material statements and arguments relied on by the appellant, shall contain no disrespectful or improper language, and shall be complete in itself. Every such appeal shall be submitted through the head of the office to which the appellant belongs or belonged

and through the authority from whose order the appeal is preferred

229. An appeal may be withheld by an authority not lower than the authority from whose order it is preferred if -

- 1 it is an appeal in a case in which under these rules no appeal lies, or
- 2 it does not comply with the provisions of rule 228, or
3. it is not preferred within six months after the date on which the appellant was informed of the order appealed against, and no reasonable cause is shown for the delay, or
- 4 it is a repetition of a previous appeal and is made to the same appellate authority by which such appeal has been decided, and no new acts or circumstances are adduced which afford grounds for a reconsideration of the case

Provided that in every case in which an appeal is withheld the appellant shall be informed of the facts and the reasons for it

Provided also that an appeal withheld on account only of failure to comply with the provisions of rule 228 may be resubmitted at any time within one month of the date on which the appellant has been informed of the withholding of the appeal, and, if resubmitted in a form which complies with those provisions, shall not be withheld

No appeal shall lie against the withholding of an appeal by a competent authority

230. Every appeal which is not withheld under these rules shall be forwarded to the proper appellate authority by the authority from whose order the appeal is preferred, with an expression of opinion by the forwarding authority

231 An appellate authority may call for any appeal admissible under these rules which has been withheld by a subordinate authority and may pass such orders thereon as it considers fit

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PART VII.

CHAPTER XIV.

PENSIONS AND GRATUITIES.

1. General Rules

232 All State servants in permanent employ are entitled to the grant of a retiring pension if they complete an approved and qualifying service of 30 years or attain the age of 55 years; except in those cases -

- (1) Where a State servant is appointed for a limited time or for specified duty, on the completion of which he is to be discharged or when a person's whole time is not retained for State service
- (2) When a person is employed temporarily on monthly wages with-out a certified limit of time or duty, or when he is employed as a Chowkidar, religious teacher, Nakdi-ka-sowar, Saraswati Bhandar and personal servants employed by members of the Ruling family not shown on deputation and domestic servants employed in State departments

233 In certain circumstances State servants may be granted a compensation pension or invalid pension or a gratuity, even though they may not have completed 30 year's service or have attained the age of 55 years

234 A State servant will be compulsorily retired on reaching the age of 55 years. The actual date of compulsory retirement shall be the 31st of August of the year during which he attains the age of 55 years

He may however be granted an extension of service after this date of compulsory retirement, if the Darbar require his service and the State servant is fit and willing to continue to serve. Such extensions will not ordinarily be granted after the State servant has reached 60 years of age

235 The grant of pensions and gratuities rest entirely on the pleasure of the Darbar

236 Future good conduct is an implied condition to a grant of pension. The Darbar reserve to themselves the right of withholding or withdrawing a pension or any part of it, if the pensioner be convicted of serious crime or guilty of grave misconduct or disloyalty

237 It being the duty of every State servant himself to provide for his family, the State recognizes no claim of a widow for pension on account of the services of her husband and will not entertain applications or recommendations made in contravention of this rule.

238 Retiring pension

A retiring pension is earned by a State servant on completing a qualifying service of 30 years or attaining the age of 55 years. However, if a State servant attains the age of 55 years without completing 30 years service he may be granted a retiring pension or gratuity in accordance with the provision of Rules 245 and 246.

239 Compensation pension

A compensation pension is awarded to a State servant discharged from State service because on a reduction of establishment, his post is abolished and other suitable employment cannot be found for him.

240 Before a pension is granted to such a State servant discharged on abolition of appointment, it must be carefully considered whether he can not be otherwise provided for, and the head of a Department in forwarding an application for compensation pension, should invariably state for what reason it has been found impossible to provide suitable employment for the applicant.

241 Invalid pension

An invalid pension is awarded on his retirement from the State service to a State servant, who by bodily or mental infirmity is permanently incapacitated for the State service or for the particular branch of it to which he belongs.

242 A State servant applying for an invalid pension must do so through the Head of his department or office who will forward this application to the Chief Medical Officer with the request that the applicant may be brought before a Medical Board to establish his incapacity for service. He shall in his letter state the applicant's age as appearing in his service book, and if possible, a short statement of the medical case and of the treatment adopted. If the examining Medical Board, although unable to discover any specific disease in the applicant, considers him incapacitated for further service by general debility, while still under the age of 55 years, it should give reasons for its opinion.

The form of certificate to be given respecting a State servant applying for pension is as given in Appendix VIII.

243 If the incapacity is directly due to irregular or intemperate habits no pension can be granted. If it has not been

directly caused by such habits, but has been accelerated or aggravated by them, it will be for the authority by which the pension is granted to decide what reduction should be made on this account.

244 A State servant who has submitted a Medical Certificate of incapacity for further service must not be retained in active service pending a decision on his application for pension, nor even can he obtain leave of absence, but the retirement of an officer who is absent on leave other than earned leave, when such certificate is submitted, may have effect from the termination of his leave and such State servant may continue to draw leave allowance to the end of his leave.

2 Amount of pension and gratuity.

245 The amount of pension that may be granted to a State servant in superior service is determined by the length of his service. Ordinarily after an approved and qualifying service of 30 years a State servant is entitled to a pension equal to half of his average emoluments for the last three years. In case the length of service is less than 20 years but more than 5 years he may be granted a gratuity equal to one month's pay for every year of approved and qualifying service, and if his service is more than 20 years, but less than 30 years he may be granted a pension calculated as shown below according to the length of his service but subject to a maximum of Rs. 250/- a month -

<i>Years of completed service</i>	<i>Average emoluments</i>
20	20/60
21	21/60
22	22/60
23	23/60
24	24/60
25	25/60
26	2660
27	27/60
28	28/60
29	29/60
30	30/60
31	30/60
32	30/60
33	30/60
34	30/60
35	30/60

246 State servants in inferior services are entitled to a pension equal to half of their average emoluments after an approved and qualifying service of 30 years. In case the length of service is less than 25 years but more than 8 years he may be granted a gratuity equal to 15 days' pay for every year of approved and qualifying service. If his service is more than 25 years he may be granted a pension calculated as shown below subject to a maximum of Rs 5/-/- a month

<i>Years of completed service</i>	<i>Average emoluments.</i>
25	25/60
26	26/60
27	27/60
28	28/60
29	29/60
30	30/60
31	30/60
32	30/60
33	30/60
34	30/60
35	30/60

247 A pension shall be calculated to the nearest anna i.e., if the exact amount works out to six pies or more it should be taken to the next higher anna and an amount below six pies being disregarded

248 The full pension admissible under these rules is not to be given as a matter of course unless the service rendered has been really approved.

249 If the service has not been thoroughly satisfactory, the authority sanctioning the pension should make such deductions in the amount as he thinks proper

250 The term emolument when used in these rules means the emoluments which the officer was receiving immediately before his retirement and includes only -

(a) Pay

(b) Personal pay

(c) Duty or any other special pay which might be declared by the Darbar as counting towards pension

251 The term average emoluments means the average calculated upon the last three years of service.

3 Application for grant of pension

252 As soon as a State servant has expressed his desire to retire on pension or is going to attain the age of 55 years within 6 months and is not being further retained in service, steps should be taken to have his services verified and a statement prepared in form 'A' as given in Appendix IX. The Head of the office or department should then draw up the application in form 'B' as given in Appendix IX and forward it with form 'A' and service book to the Accountant General. If an applicant for pension is no longer in active service, a last pay certificate should be attached to the application.

253 The officer who submits the application should certify in the application whether the character, conduct and past services of the applicant are such as to entitle him to the favourable consideration of the Darbar. If the application is for invalid pension, the requisite medical certificate should be attached to the application

254 The application for pension after the Accountant General has certified that it is clearly and directly admissible under these rules shall be forwarded to the Dewan for sanction. Should the amount of pension granted to a State servant be afterwards found to be in excess of that to which he is entitled under these rules, he will be called upon to refund such excess

4 Payment of pensions

255 A pension is payable from the date from which the pensioner ceases to be borne on the establishment or from the date of his application whichever is later. Pension or gratuity will be drawn from the date that leave preparatory to retirement expires

256 A gratuity is paid in a single sum, and not by instalments, on receipt of sanction.

257 A pension is payable at a State treasury on and after the first day of the following month under the following rules -

- (a) On receipt of the pension payment order the disbursing officer will deliver one half to the pensioner and keep the other half carefully in such a manner that the pensioner shall not have access to it
- (b) Each payment made is to be entered on the reverse both of the pensioner's half and of the disbursing officer's half of the pension payment order, both entries being attested at the time of payment by the signature of the disbursing officer.
- (c) A pension should under no circumstances be paid for the first time in arrears for more than one year without the special order of the Dewan
- (d) A pension is payable for the day on which the pensioner dies
- (e) A pension cannot be attached by a civil court in satisfaction of any civil decree.

258 Identification

As a rule a pensioner must take payment in person after identification by comparison with the pension payment order.

259 A pensioner specially exempt by the Darbar from personal appearance, a female pensioner not accustomed to appear in public, or a male pensioner who is unable to appear in consequence of bodily illness or infirmity, may receive his or her pension upon the production of a life certificate by a Magistrate

260 In all such cases the disbursing officer must take precautions and must at least once a year require proof independent of that furnished by the life certificate of the continued existence of the pensioner

261 A pensioner not resident in Bundi State may draw his pension through a duly authorised agent or have it remitted to him by money order on the production of a certificate by a Magistrate on each occasion that the pensioner was alive on the date to which his pension is claimed.

262 The Accountant General may on application and on sufficient cause being shown permit transfer of payment from one treasury to another, a copy of orders issued being forwarded to the officer in charge of the treasury where future payments are to be made

263 A pensioner is required to append to his bill a certificate as follows -

I declare that I have not received any remuneration for serving in any capacity either under the State or a local fund during the period for which the amount of pension claimed in this bill is due

If a pensioner is permitted to draw pension after re-employment, this certificate should be modified accordingly.

264. When the reverse of a pension payment order is filled up, it may be renewed by the Accountant General free of charge, but if the pensioner's half is lost by pensioner, it will be renewed on payment of one rupee for each payment order

265 If a pension remains undrawn for more than one year, the pension ceases to be payable without the previous sanction of the Dewan to be obtained through the Finance Department

266 On the death of a pensioner, payment of any arrears actually due may be made to his heirs, on execution of an indemnity bond, provided that they apply within one year of the death

5 Service qualifying for pension

267. Qualifying service means service on full pay

The service of an officer does not qualify for pension unless it conforms to the following three conditions -

- (1) The service must be under the State
- (2) The employment must be substantive and permanent.
- (3) The services must be paid by the State

268 Services on an establishment paid from contract establishment allowance, with the detailed distribution of which the State does not interfere, do not qualify.

269. A State servant transferred from a temporary to a permanent appointment or confirmed in his post after having been employed temporarily can count his service in the temporary office as qualifying for pension,

270 Services paid from local funds or by fees levied by law or by commission or paid by the grant, in accordance with law or custom of a tenure in land, or of any source of income or right to collect money, do not qualify for pension

271 Service paid from the fund which the State holds only as a trustee such as under a Court of Wards or in an attached State does not qualify

272 Time spent on leave on full pay counts towards pension subject to a maximum of 2½ years

273 Time passed under suspension, pending enquiry into conduct, counts for pension if the suspension is followed by reinstatement

274 Upon such conditions as it may think fit to impose, the authority competent to sanction the pension of a State servant may condone all interruptions in his service subject to a maximum of 1 year.

275 Upon any conditions which it may think fit to impose the authority competent to sanction the pension of a State servant may condone a deficiency of three months of qualifying service

6 Re-employment after retirement

276 No person may retire with a view to being re-employed and drawing pension in addition to pay whether in State service or in the service of any local fund

277 When a person who was formerly in State service is re-employed whether temporarily or permanently in State service or in the service of a local fund it shall be incumbent on him to declare the amount of any gratuity or pension received by him on retirement. The authority re-employing him shall specially state in the order of the employment whether any reduction is to be made from pension or salary as required by the rules and shall communicate a copy of the same to the Accountant General

278 After compensation pension

An officer who has obtained compensation gratuity if re-employed in qualifying service may either retain his gratuity in which case his former service will not count for further pension or refund it and count his former service

The intention to refund must be stated immediately on re-employment.

279 A State servant who has obtained a compensation pension, if re-employed may retain his pension in addition to pay, provided that the sum of the pension and pay on re-employment does not exceed the pay of the appointment on the abolition of which the pension was granted. If he surrenders his pension he may be permitted to count his previous service for future pension. Pension intermediately drawn, need not be refunded

280 A State servant who draws pension in addition to pay, shall during leave of absence from his new office, draw so much of his pension as will bring his whole allowance during leave up to the amount which should have been admissible to him if he had taken leave of the same kind under the same circumstances while holding his abolished appointment, provided that his allowance on leave shall never be less than his pension

281 After invalid pension

There is no bar to the re-employment of a State servant who has regained health after obtaining invalid pension or if a State servant is invalidated as being incapacitated for employment in a particular branch of the service to his re-employment in some other branch of the service. The rules in such a case as to the refunding of the gratuity, drawing pension and counting service are the same as in the case of re-employment after compensation pension

282 After retiring pension

An officer who is in receipt of retiring pension shall not be re-employed or continue to be employed in service paid from State revenues, or from a local fund, except on public grounds for a temporary duty and with the special sanction of the Darbar

The Darbar shall determine whether his pension shall be held wholly or partly in abeyance

283 An officer who having been discharged with a pension, is subsequently re-employed may not count his new service for a separate pension. Pension is admissible only for the new service combined with the old, the whole being counted as one service.

APPENDICES.

APPENDIX I.**Certificate of Medical fitness for State service.**

I hereby certify that I have examined a candidate for employment in the . . . department, and can not discover that has any disease, constitutional weakness or bodily infirmity, except

. . . I do not consider this a disqualification for employment in the office of

. . . 's age is, according to his own statement, . . . years, and by appearance about . . . years.



APPENDIX II

Rules for Medical attendance on State servants

1 All State servants are entitled to free medical treatment at any of the hospital or dispensaries maintained by the State. Free medical treatment includes examination clinical investigations (excluding X Ray diagnosis and Laboratory tests for which special separate rules exist), free medicines (excluding special injections and patent medicines which must be paid for by the patient) free operative treatment and such nursing as is provided for in particular hospital. Free medical treatment does not include supply of free dentures, spectacles, artificial limbs etc

2 If the Chief Medical Officer is of the opinion that a State servant should receive such medical or surgical treatment as can not be provided in State hospital and dispensaries or that he should be sent to a specialist for opinion, clinical investigation and diagnosis he may recommend that the State servant in question may be sent for such treatment, opinion, clinical investigation or diagnosis to any hospital or specialist outside the State. If the State agrees to the recommendation of the Chief Medical Officer the travelling costs of the patient and the cost of the clinical investigations and the fees of the physician or surgeon will be paid by the State. The cost of special nursing, special medicine or injections will be borne by the patient. If the patient is too ill to travel alone, travelling allowances for an attendant will also be paid by the State.

3 Medical officers in the State employ will be permitted to charge the following maximum scale of fees for each professional visit when visiting patients at their houses -

Chief Medical Officer	Rs 10/-
Medical Officer, (Assistant Surgeon)	Rs 5/-
Medical Officer, (Sub-Assistant Surgeon)	Rs 2/-

The fee per visit during the night will be double the above scale

4. Compounders, dressers and Midwives in the State employ will be permitted to charge Rs -/6/- per visit for professional purposes

5 Under no circumstances can a State servant claim free medical attendance and nursing at his house.

APPENDIX III

Rules for the charging of fees for X-Ray and Laboratory investigation and treatment.

- 1 No charges shall be levied from poor persons and their families, whether in-patients or out-patients at any hospital maintained by the State. A poor person shall mean one whose income does not exceed two hundred rupees per month
- 2 (a) Charges shall be levied from those whose income exceeds two hundred rupees per month, whether in-patients (even if on hospital diet) or out-patients at any State hospital
- (b) State servants whose pay is less than Rs 250/- and their families shall not be charged and those drawing over Rs 250/- and their families shall be charged half rates
- (c) For the purpose of these rules, the term "family" includes the person's wife, his children and also his parents, sisters and minor brothers, if wholly dependent on and residing with him.
- (d) No officer of the State drawing over Rs 250/- unless specially entitled to free medical treatment by the terms of his service, shall be exempted from the payment of these charges
- (e) In the case of State Guests, invoices will be sent to the Guest House
- 3 Despite anything to the contrary in paragraphs 1 and 2 all persons occupying private wards on payment in any hospital, shall be charged fees at half rates unless their income exceeds Rs 200/- in which case they will be charged full rates. All State servants whatever their pay and their families who occupy private wards on payment shall be charged half fees
- 4 Private patients of all Medical Officers shall in all cases, be charged for investigation or treatment

Note (i) Persons entitled to free medical attention as specified will, of course, not be charged. This exemption does not include their families

(ii) Subject to supervision, the following comparatively easily performed and essential investigations will be

carried out free by the M O I/C Laboratory, for private patients who are certified by their Medical Officers as having an income of less than Rs 200/- or Rs 250/- in the case of State Servants -

- 1 Blood examination for Malaria Parasites.
- 2 Sputum examination for Tuberclle Bacilli.
- 3 Differential Leucocytic count

5 The Chief Medical Officer shall be authorized in any case where due to long illness of the earning member of the family, there would be grave hardship caused by the realization of the charges, to remit the whole or part of those charges

6 The scale of X-Ray fees shall be -

PART I - Radiographic Investigation

(a) for skiagram	10" x 12"	Rs. 16/-
for skiagram	8" x 10"	Rs 10/-
(b) for screening		Rs 5/-

- Note* - 1 If screening is done and skiagram taken no charges shall be made for the former Such charges are meant to be only for those cases where no skiagram is taken
- 2 Skiagram for which full payment has been made according to the scale in force shall be issued to patients on receipt of a written request, by the M O I/C X-Ray Department, who shall hand them over when they are ready No reports shall be issued either with films or about screening for which full payment has not been made
3. No reports will be issued to private practitioners or State Medical Officers in cases in which payment has not been made, as they will be expected to go to the X-Ray Department and see the films on the viewing box there with the radiologist In case of State hospital's patients, the existing system of reporting will continue
- 4 No films will be issued to any court, but reports only will be sent

PART II - Laboratory Investigations:-

1. Blood examination for Malaria parasite. Rs 2/- per examination
- 2 Sputum examination for Tuberclle Bacillus Rs 2/- , ,
- 3 Urine examination (General) Rs. 2/- , ,

4. Differential Leucocyte Count.	Rs. 5/- per examination
5. Total Red & White blood cells count	Rs 5/- ,, ,,,
6. Examination of sugar & Albumen in Urine	Rs. 3/- ,, ,,,
7. Blood Sugar estimation.	Rs. 5/- ,, ,,,
8. Diazo Reaction.	Rs. 1/- ,, ,,,
9 Widels reaction for enteric group of fevers.	Rs 10- ,, ,,,
10. Wasserman's reaction for Syphilis.	Rs. 10- ,, ,,,

APPENDIX IV.

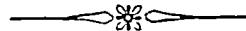
Casual Leave.

The State leave rules do not refer to casual leave for short periods. Such leave is not recognised and is not subject to any general rule. Technically, therefore, a State servant on casual leave is not treated as absent from duty and his pay is not intermitted. Casual leave however, must not be given so as to cause evasion of the leave rules regarding -

- (i) Date of reckoning pay and allowances
- (ii) Charge of office,
- (iii) Commencement and end of leave,
- (iv) Return to duty

or so to extend the term of leave beyond the time admissible by rule

Casual leave may be granted by a competent authority up to a maximum of 15 days for State servants in superior service and for 10 days for those in inferior service during any financial year. Casual leave cannot be combined with any kind of leave, Sundays or Public holidays

APPENDIX V**Form of medical certificate of fitness to return to duty.**

We/I do hereby certify that We/I, have carefully examined A. B. C of the Department, and find that he has recovered from his illness and is now fit to resume duty in State service. We/I also certify that before arriving at this decision We/I have examined the original medical certificate on which leave was granted or extended, and have taken these into consideration in arriving at our/my decision

Note - The original medical certificate on which leave was originally granted or extended shall be produced before the authority asked to issue the above certificate

Form of Medical Certificate of Illness

Name

Appointment

Disease . .

I after careful personal examination hereby certify that . . is in a bad state of health and I solemnly and sincerely declare that according to the best of my judgment a period of absence from duty is essentially necessary for the recovery of his health and recommend that he may be granted months' leave with effect from . .

APPENDIX VI.**Study Leave Rules**

1 State servants who are granted study leave shall be selected by the Minister-in-Charge on the recommendation of the Head of the Department concerned

2 No State servant can claim study leave as a right, and such leave should ordinarily be given only if the Darbar require the State servant to undergo any particular course of instruction Study leave is intended for technical or specialist training and not for higher school or college studies

3. 'Ordinarily no candidate will be selected for study leave who has not completed 5 years' approved service In exceptional cases, however, this clause may be waived

4 Before study leave is sanctioned the candidate must execute a personal bond with two sureties as a guarantee that he will serve the State for a period of five years after the completion of training Should the candidate leave service before that period the candidate or the sureties will be called upon to refund the amount equal to the pay drawn by the candidate during the study leave Should the candidate die or be invalidated this rule will not be enforced

5. Study leave shall not exceed 12 months at any one time and 24 months during the whole service

6 During study leave such State servant shall receive his full pay subject to a maximum of Rs 50/- p m

7 Study leave shall count towards pension, promotion and increments

APPENDIX VII.

Departmental Trial

As much evidence must first be placed on record as the Head of the department considers necessary to establish a charge. This evidence may be either oral or documentary and must be material to the charge. If oral -

- (a) It must be direct, i.e., if it is of fact which could be seen or otherwise perceived it must be the evidence of the person who said he saw or otherwise perceived it,
- (b) It must be recorded by the Head of the Department himself in the presence of the officer charged who must be allowed to cross examine the witnesses; provided that the statements recorded by a Magistrate or a Gazetted Police Officer in the course of a preliminary inquiry into the conduct of the officer charged will be admissible at his departmental trial and need not be recorded again if -

They are originally recorded in the presence of the officer charged and an opportunity was given to him to cross examine the witnesses, or if -

Though not originally recorded in his presence, they are later by the Head of the Department, read out to, and admitted by the witnesses in the presence of the officer charged and the officer charged is willing that they should be so read out instead of being recorded anew, and the officer charged is then given an opportunity to cross examine the witnesses

When documents are relied on in support of the charge they should be put in evidence as exhibits and the officer charged must, before he is called upon to make his defence, be allowed to inspect such exhibits.

The substance of the accusation must be reduced to the form of a charge. This should be as precise as possible so as to give the officer charged full information of the matters alleged against him. The charge should be read to the officer before his oral statement is recorded and, in the case of an officer required to file a written statement, a copy of the charge should be given to him.

The explanation of the officer charged must be recorded by the Head of the Department himself and in all grave cases he must also be invited to file a written statement of defence within such fixed period as the Head of the Department may consider reasonable. He should also at this stage be asked whether he wishes to produce any defence witnesses or to file any documentary exhibits. If so, he must give the names of the witness and what

he expects each witness or document to prove The Head of the Department should then briefly record his reasons for refusing to hear any witnesses or to accept, call for or give a copy of any document which he considers unlikely to be material to the issue of the case and should either call the remaining witnesses himself or at the request of the officer charged, allow him to produce them by a given date It should be made clear to the officer charged that he will not be allowed to prolong proceeding in producing his written statement or defence witnesses and that if he fails to produce them on the dates fixed the case will proceed without them

Statement of defence witnesses must be recorded by the Head of the Department himself

The Head of the Department himself will write a finding and order In the finding he must confine himself strictly to the subject of the charge and to evidence on the record and must deal with every relevant plea raised by the officer charged

Whenever a State servant has been judicially tried the Head of the Department must await the decision of the Judicial appeal, if any, before deciding whether further departmental action is necessary

It will not be permissible for the Head of the Department in the course of a departmental proceeding against a State servant who has been tried judicially to re-examine the truth of any facts in issue at his judicial trial and the finding of the Court of these facts must be taken as final Thus (a) if the accused has been convicted and sentenced to R I , no departmental trial will be necessary as the fact that he has been found deserving of R I must be taken as conclusively proving his unfitness for the discharge of his duty In such cases the Head of the Department should without further proceedings ordinarily pass an order of dismissal (b) if the accused has been convicted but sentenced to a punishment short of R I a departmental trial will be necessary, if further action is thought desirable, but the question in issue at this trial will be merely (1) whether the offence of which the accused has been convicted makes his retention in the services undesirable (ii) if so, what punishment should be imposed In such cases the Head of the Department should (1) call upon the accused to show cause why any particular penalty should not be inflicted on him, (ii) record anything the accused officer has to urge against such penalty without allowing him to dispute the findings of the Court, and (iii) write a finding and order in the ordinary way dealing with any plea raised by the accused officer which is relevant, (c) if the accused has been judicially acquitted or discharged the Head of the Department must at once reinstate him if he has been suspended, but should the findings of the Court not be inconsistent with the view that the accused has been guilty of negligence in, or unfitness for, the discharge of his duty the Head of the

Department may refer the matter to the Dewan and ask for permission to try the accused departmentally for such negligence or unfitness.

- (a) At a departmental trial the accused officer will be asked if he has any complaint to make in connection with the procedure adopted against him in the departmental trial
 - (b) Whether he has any defence witnesses to produce.
 - (c) Whether he wishes to make an oral or written statement.
-

APPENDIX VIII

**Certificate of Medical Examination of incapacity
for further service.**

Certified that I/We have carefully examined AB son of CD a in the , his age according to his service book is years and by appearance is about years I/We consider AB to be completely and permanently incapacitated for further service of any kind in consequence of His incapacity does not appear to me/us to have been caused by irregular or intemperate habits

APPENDIX IX.

FORM A

Details of Service.

- (1) Conduct of applicant for pension or gratuity.
 - (2) Marks of identification.

 - (3) Whether the pension claimed should be admitted.
 - (4) Any other remarks

I certify that I have satisfied myself that the above entries are correct.

Head of Office

Note:-* *Periods of leave not countable should be entered in this column*

APPENDIX IX.

FORM B.

Application for Pension and Gratuity.

Signature of applicant.

Report of Head of Office,**To****The Finance Department,
Bundi**

The application for the pension of together with statement and the service book is forwarded for necessary action.

Head of Office.

Report of the Finance Department

From the record forwarded herewith it appears that the applicant has put in Superior or Inferior service for years. monthsdays and is entitled to get Rs. per month as pension or Rsas gratuity.

Submitted to Dewan Saheb for orders

Accountant General.



